

DEPARTMENT OF FISH AND GAME

WILDLIFE CONSERVATION BOARD

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SACRAMENTO, CALIFORNIA 95814
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www.dfg.ca.gov/wcb

NOTICE OF MEETING**WILDLIFE CONSERVATION BOARD**

February 11, 2003
10:00 A.M. to Noon
1/Resources Agency Building
1416 Ninth Street, Auditorium
(Please note room change)

San Francisco Baylands
(Cargill Salt Ponds)
will be considered at 1:00 PM
1/ Resources Agency Building
1416 Ninth Street, Auditorium
(Please note room change)

FINAL AGENDA ITEMS

ITEM NO.	PAGE
1. <u>Roll Call</u>	1
2. <u>Funding Status – Informational</u>	2
3. <u>Special Project Planning Account – Informational</u>	4
4. <u>PROPOSED CONSENT CALENDAR (Items 5 through 18)</u>	5
*5. <u>Approval of Minutes – November 22 and December 17, 2002 Meetings</u>	5
*6. <u>Recovery of Funds</u>	5

* Proposed Consent Calendar

** Projects added after Preliminary Agenda was distributed

1/ These facilities are accessible to persons with disabilities

- *7. Fund Transfer of Various Projects 10
To consider changing certain Board approved General Fund projects to an alternative fund source to generate General Fund savings for the current year budget. [California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Bond Fund (Prop 40) and Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 (Prop 50)]
- *8. Dairy Mart Ponds Ecological Reserve, San Diego County \$3,000.00 11
To consider the transfer of 60± acres of State-owned real property, managed by the Department of Fish and Game as the Dairy Mart Ponds Ecological Reserve, to the County of San Diego. [Habitat Conservation Fund, Section 2786 (e/f)]
- *9. Riparian Habitat Restoration, Upper Little Lake Ranch, Inyo County \$45,800.00 13
To consider an allocation for a grant to Ducks Unlimited, Inc., to restore approximately 200 acres of riparian and wetland habitats on private property located approximately 40 miles south of Lone Pine on the east side of Highway 395 in Inyo County. [Habitat Conservation Fund, Section 2786 (e/f)]
- *10. Allensworth Ecological Reserve, Expansion 25, Tulare County \$12,500.00 16
To consider the acquisition of 10± acres of land for addition to the Allensworth Ecological Reserve, located in Kern and Tulare counties, to provide habitat for the endangered Tipton kangaroo rat, blunt nosed leopard lizard and the San Joaquin kit fox, a State-listed threatened and federally-listed endangered species. [Bureau of Reclamation Grant and Habitat Conservation Fund, Section 2786 (b/c)]
- *11. Volta Wildlife Area, Expansion 1, Merced County \$10,000.00 17
To consider the acquisition of 780± acres of privately-owned land located approximately 12 miles northwest of the City of Los Banos as an addition to the Volta Wildlife Area in Merced County and to accept funds into escrow from an estate disbursement directed to be used by the Department of Fish and Game to effect purchase for conservation purposes. [Inland Wetlands Conservation Fund]
- *12. Wetland Habitat Restoration, South Grasslands (Redfern Ranch), Merced County \$26,000.00 18
To consider an allocation for a grant to the California Waterfowl Association (CWA) for a cooperative project with the CWA, the landowner, the Department of Fish and Game and the Board to enhance approximately 200 acres of wetlands on privately-owned property, located seven miles southeast of Los Banos. [Habitat Conservation Fund, Section 2786 (d) IWCP]

- *13. Wetland Habitat Restoration, South Grasslands (Rooney Ranch), Merced County \$100,000.00 20
- To consider an allocation for a grant to the California Waterfowl Association (CWA) for a cooperative project with the CWA, the landowner, the Department of Fish and Game and the Board to enhance approximately 175 acres of wetlands and 80 acres of uplands on privately-owned property, located six miles southeast of Los Banos. [Habitat Conservation Fund, Section 2786 (d) IWCP]
- *14. Point Benicia Fishing Pier Improvements, Solano County \$252,270.00 21
- To consider a cooperative project with the City of Benicia to improve public parking access at the Point Benicia Fishing Pier, located at the end of First Street, Benicia, adjacent to the Carquinez Strait. The project would enlarge the existing parking area and provide new paving, lighting and curbing for 53 parking spaces, including two ADA sites, and assist in construction of an ADA accessible restroom near the entrance to the pier. [Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Act (Prop 12), Section 5096.350 (a)(5)]
- *15. Jacoby Creek Forest, Expansion 2, Humboldt County \$660,000.00 22
- To consider an allocation for a grant to the Jacoby Creek Land Trust to assist in the acquisition of 65± acres of private land in fee as expansion of Jacoby Creek Forest, located in Humboldt County near Arcata, for protection of the forest lands, Jacoby Creek and associated tributaries. [California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Act of 2002 (Prop 40)]
- *16. Anderson River Park Fishing Access Improvements, Shasta County \$56,270.00 24
- To consider a cooperative project with the City of Anderson to improve public access at the Department of Fish and Game's Anderson River Park Fishing Access on the Sacramento River. Planned improvements include upgrading the existing parking lot, clearing the boat ramp of silt and landscaping the entrance. [Wildlife Restoration Fund]
- *17. Riparian Habitat Restoration, Mouth of Cottonwood Creek Wildlife Area, Augmentation, Shasta County \$19,000.00 25
- To consider an amendment to augment the previously approved grant to the CSU, Chico Research Foundation to restore 26± acres of native riparian habitat at the Mouth of the Cottonwood Creek Wildlife Area. The augmentation will help provide for predator control on riparian habitat plantings and help promote the growth and survival of the plantings. [Wildlife Restoration Fund]
- *18. Lake Earl Wildlife Area, Expansion 27, Del Norte County \$368,000.00 26

To consider the acquisition of 44± acres of privately-owned land located approximately 5.5 miles north of downtown Crescent City as an addition to the State's Lake Earl Wildlife Area for the protection of wetland habitat. [Water Security, Clean Drinking Water, Coastal and Beach Protection Fund (Prop 50)]

19. Oak Woodlands Conservation Act of 2001 28

Report on the status of the new Oak Woodlands Conservation Program developed pursuant to the provisions of the Oak Woodlands Conservation Act of 2001 and to request approval of the criteria and selection guidelines developed to evaluate proposed projects.

20. San Dieguito River Valley Corridor, San Diego County \$5,573,709.00 32

To consider an allocation for a grant to the San Dieguito River Park Joint Powers Authority to assist in the acquisition of approximately 8,000± acres of land within the San Dieguito River Valley Regional Open Space Park Focused Planning Area, extending from the mouth of the San Dieguito Lagoon at the Pacific Ocean to Volcan Mountain just north of Julian, to preserve a contiguous coast to crest wildlife corridor and sufficient habitat to support the rare and sensitive species and habitats of the San Dieguito River Valley. [Safe Neighborhood Parks, Clean Water, Clear Air and Coastal Protection Bond Act (Prop 12), Section 5096.350 (a)(6) and River Protection Subaccount (Prop 13)]

21. East Elliott Preserve (City of San Diego), San Diego County \$5,010,000.00 34

To consider an allocation for a grant to the City of San Diego to acquire up to 3,067± acres of land, for protection of threatened and endangered habitat, vernal pools and wildlife species, as well as a regionally significant wildlife corridor, located contiguous to Mission Trails Regional Park in the east-central portion of the City of San Diego. [Safe Neighborhood Parks, Clean Water, Clear Air and Coastal Protection Bond Act (Prop 12), Section 5096.350 (a)(6)]

22. San Jacinto Wildlife Area, Expansions 23, 24 and 25, Riverside County \$1,815,000.00 36

To consider the acquisition of 89± acres of private land in fee and 224± acres of conservation easement over private land as expansions of the Department of Fish and Game's San Jacinto Wildlife Area, located in western Riverside County near Moreno Valley, for further development and protection of the wildlife area. [Habitat Conservation Fund, Section 2786 (b/c)]

23. Port Hueneme Fishing Pier Improvements, \$200,135.00 38
Ventura County

To consider a cooperative project with the City of Port Hueneme to improve the Port Hueneme Fishing Pier, located less than ten miles south of Oxnard on California's central coast. The project would replace up to 92 aging wooden pier supports that have recently failed or show signs of cumulative deterioration from winter storms and marine organisms. [Safe Neighborhood Parks, Clean Water, Clear Air and Coastal Protection Bond Act (Prop 12), Section 5096.350 (a)(5)]

24. East Delta Wildlife Area, San Joaquin County \$455,000.00 39

To consider the acquisition of a 649± acre conservation easement, located approximately two miles southeast of the City of Walnut Grove, in San Joaquin County, as part of a cooperative project with The Nature Conservancy and CALFED, for the protection of delta wetland habitat and foraging areas for threatened, endangered and special status species. [Habitat Conservation Fund, Section 2786 (b/c)]

25. Riparian Habitat Restoration, Lagoon Valley Lake, \$220,000.00 41
Solano County

To consider an allocation for a grant to the City of Vacaville to restore riparian habitat and reduce erosion from approximately 8,600 feet of stream channels that drain into Lagoon Valley Lake, located south and east of Interstate Highway 80 approximately five miles south of Vacaville on land owned by the City of Vacaville. [Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Act (Prop 12), Section 5096.350 (a)(2)]

26. Habitat Restoration and Public Access, Sun River Unit, \$500,000.00 43
Stone Lakes National Wildlife Refuge, Sacramento County

To consider an allocation for a grant to the California Waterfowl Association for a cooperative project with the American Land Conservancy (Conservancy) and the U.S. Fish and Wildlife Service to create public access and restore wetland and riparian habitat at the Conservancy's Sun River property adjacent to the Stone Lakes National Wildlife Refuge in Sacramento County. Planned public access improvements include a car-top boat launch, waterfowl hunting blinds, wildlife viewing blinds, parking areas and access trails and roads. [Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Act (Prop 12), Section 5096.350 (a)(5)]

27. East Sacramento County Blue Oak Legacy Area, Expansion 1, Sacramento County \$2,010,000.00 46
- To consider an allocation for a grant to the Sacramento Valley Open Space Conservancy to assist in the acquisition of up to 2,008± acres of private land in fee as an expansion of the East Sacramento County Blue Oak Legacy Area, located in Sacramento County near Rancho Murieta, south of the City of Folsom, for protection of the blue oaks, grasslands and tributaries of the Cosumnes River. [Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Act (Prop 12), Section 5096.350 (a)(5)]
28. Habitat Restoration, Sacramento Valley Grasslands, Colusa, Glenn and Yolo Counties \$287,000.00 47
- To consider an allocation for a grant to the Colusa County Resource Conservation District (CCRCD) for a cooperative project with the CCRCD, the U.S. Natural Resources Conservation Service, the landowners, the Department of Fish and Game and the Board to restore more than 1,600 acres of native grasslands on 20 separate privately-owned properties in Colusa, Glenn and Yolo Counties. [Inland Wetlands Conservation Fund]
29. Musty Buck Ridge, Butte County \$1,920,000.00 49
- To consider the acquisition of 3,868± acres of land for the purposes of protecting deer habitat and oak woodlands, located approximately three miles northeast of the City of Chico. [Habitat Conservation Fund, Section 2786 (a)]
30. Riparian Habitat Restoration, Sacramento River, Turtle Bay Exploration Park, Shasta County \$915,000.00 51
- To consider an allocation for a grant to Turtle Bay Exploration Park, to restore approximately 340 acres of riparian habitat within the park, which is located on both sides of the Sacramento River in the City of Redding. [Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Act (Prop 12), Section 5096.350 (a)(2)]
31. Fitzhugh Creek, Modoc County \$1,332,000.00 53
- To consider the acquisition of 2,080± acres of land for the purposes of protecting threatened and endangered species habitat and to provide public access for hunting and fishing, located approximately 15 miles southeast of Alturas and about five miles south of the Department of Fish and Game's Pine Creek Wildlife Area. [Habitat Conservation Fund, Section 2786 (b/c)]

- **32.** San Jacinto Wildlife Area, Expansion 26 \$10,175,000.00 54
(Potrero Canyon Unit), Riverside County

To consider the acquisition of 7,737± acres of private land (the Project Area) as part of the Department of Fish and Game's Potrero Canyon Conservation Area, in western Riverside County, in order to preserve critical habitat, key open space, and wildlife corridor and to maintain a permanent linkage between protected areas in the San Bernardino National Forest to the east, San Timoteo Canyon to the northwest, San Jacinto Wildlife Area and Lake Perris State Park to the west. This proposal is also to consider the acceptance of a Habitat Conservation Assistance Grant from the U.S. Fish and Wildlife Service providing \$8,000,000.00 in Section 6 funds and \$5,500,000.00 from the Riverside County Habitat Conservation Agency, to be applied toward the proposed acquisition of the Project Area. [Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Act (Prop 12), Section 5096.350 (a)(5)]

- **33.** North Peak Preserve, Riverside County \$355,000.00 56

To consider the allocation of a grant to the County of Riverside to assist in its acquisition of 193± acres of a larger 915-acre property, to preserve critical habitat and a key open space and wildlife corridor in southwestern Riverside County and to consider the acceptance of a Habitat Conservation Plan Assistance Grant, in the amount of \$1,000,000.00 from the U.S. Fish and Wildlife Service, to be applied toward the acquisition. [Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Act (Prop 12), Section 5096.350 (a)(5)].

- **34.** Donations to Wildlife Restoration Fund Informational 58

To discuss receipt of donations to the Wildlife Restoration Fund.

- 35.** San Francisco Baylands (Cargill Salt Ponds), \$74,000,000.00 58
Alameda, Napa, Santa Clara and San Mateo Counties

To consider the allocation for a cooperative project with the U.S. Fish and Wildlife Service, the Hewlett, Moore and Packard Foundations and the Goldman and Resources Legacy Funds, the Department of Fish and Game and the Board for the acquisition of 16,500± acres of properties and property interests in the South San Francisco Bay and along the Napa River in Alameda, San Mateo, Santa Clara and Napa Counties. The properties are owned by Cargill, Inc., and consist of approximately 1,400 acres on the Napa River, known as the Napa plant site and approximately 15,100 acres of salt ponds, tidal marshes and mudflats on the San Francisco Bay located south of State Highway 92 and between State Highway 880 and 101. The State will take title to the Napa plant site and approximately 5,500 acres of the salt pond property (a combination of fee title, salt making and other rights) in Alameda County known as the Baumberg evaporating ponds. The United States will acquire approximately 9,600 acres of property (a combination of fee title and reserved salt-making rights) in Alameda, San Mateo and Santa Clara Counties

known as the Alviso evaporating ponds and the West Bay evaporating ponds.
[Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002
(Prop 50)]

For the reader's reference, documents and summaries relating to this project are available at the following locations:

Resources Agency, 1416 Ninth Street, Suite 1311
Sacramento, CA 95814 (916) 653-3636

U.S. Fish and Wildlife Service, Don Edwards National Wildlife Refuge
#1 Marshlands Road, Fremont, CA 94536 (510) 792-0222

Department of Fish and Game, Central Coast Region Office
7329 Silverado Trail, Napa, CA 94558 (707) 944-5517

Wildlife Conservation Board
1807 13th Street, Suite 103, Sacramento, CA 95814 (916) 445-1117

California Coastal Conservancy, 1330 Broadway, Suite 1100
Oakland, CA 94612 (at 12th Street BART Station) (510) 286-1015

Also available at: www.resources.ca.gov

Other Business

(Inquiries regarding agenda items may be directed to Al Wright, Executive Director of the Wildlife Conservation Board, at the address and telephone number shown on the letterhead.)

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WILDLIFE CONSERVATION BOARD

February 11, 2003

1. Roll Call

WILDLIFE CONSERVATION BOARD MEMBERS

Michael Flores, Chairperson
President, Fish and Game Commission
Steve Peace, Member
Director, Department of Finance
Robert C. Hight, Member
Director, Department of Fish and Game

JOINT LEGISLATIVE INTERIM ADVISORY COMMITTEE

Senator Sheila Kuehl
Senator Byron Sher
Assembly Member Hannah-Beth Jackson

EXECUTIVE DIRECTOR

Al Wright

2. Funding Status as of February 11, 2003

(Informational)

(a) 2002-03 Wildlife Restoration Fund Capital Outlay Budget

Governor's Budget - Minor Projects \$500,000.00
Less Previous Board Allocations (424,540.00)
Unallocated Balance \$75,460.00

(b) 2000-01 Wildlife Restoration Fund Capital Outlay Budget

Chapter 395, Statutes of 2000, San Francisco Baylands.... \$25,000,000.00
Less Previous Board Allocations (50,000.00)
2002-03 December Revision (Mid-year Reduction) (24,950,000.00)
Unallocated Balance \$0.00

(c) 2002-03 Habitat Conservation Fund Capital Outlay Budget

Governor's Budget \$20,664,000.00
Less Previous Board Allocations (2,280,219.00)
Unallocated Balance \$18,383,781.00

(d) 2001-02 Habitat Conservation Fund Capital Outlay Budget

Governor's Budget \$19,963,500.00
Less Previous Board Allocations (10,664,684.39)
Unallocated Balance \$9,298,815.61

(e) 2000-01 General Fund Capital Outlay Budget

Governor's Budget \$115,000,000.00
Less Previous Board Allocations (114,435,427.00)
2002-03 December Revision (Mid-year Reduction) (564,573.00)
Unallocated Balance \$0.00

(f) 2000-01 Safe Drinking Water, Clean Water, Watershed Protection and
Flood Protection Bond Fund (River Protection Subaccount)

Governor's Budget \$14,000,000.00
Less Previous Board Allocations (7,959,770.09)
Unallocated Balance \$6,040,229.91

(g) 2000-01 Safe Neighborhood Parks, Clean Water, Clean Air and Coastal

Protection Bond Fund Capital Outlay Budget

Governor's Budget \$216,125,000.00
Less Previous Board Allocations (126,945,335.38)
Unallocated Balance \$89,179,664.62

Governor's Budget \$14,562,000.00
(San Joaquin River Conservancy Projects)
Less Previous Board Allocations (8,650,182.00)
Unallocated Balance \$5,911,818.00

(h) 1999-00 Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund

Continuously Appropriated \$38,000,000.00
[Sec. 5096.350 (a)(1), (2), (4) & (7)]
Less Previous Board Allocations (14,721,392.00)
Unallocated Balance \$23,278,608.00

(i) 2002-03 California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Bond Fund

Governor's Budget \$2,500,000.00
(San Joaquin River Conservancy Projects)
Chapter 983, Statutes of 2002 \$4,800,000.00
Chapter 984, Statutes of 2002 \$19,200,000.00

(j) 2001-02 California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Bond Fund

Continuously Appropriated (Section 5096.650) \$273,000,000.00
Less Previous Board Allocations (9,745,078.31)
Unallocated Balance \$263,254,921.69

(k) 2002-03 Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002

Continuously Appropriated \$890,000,000.00
(Sections 79565 and 79572)
Less Set Aside (Bond Costs and Administration) (75,650,000.00)
Unallocated Balance \$814,350,000.00

RECAP OF FUND BALANCES

Wildlife Restoration Fund (a) and (b)	\$75,460.00
Habitat Conservation Fund (c) and (d)	\$27,682,596.61
General Fund (e)	\$0.00
Safe Drinking Water, Clean Water, Watershed Protection and Flood Protection Bond Fund (f).....	\$6,040,229.91
Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund (g) and (h)	\$118,370,090.62
California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Bond Fund (i) and (j)	\$289,754,921.69
Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 (k)	\$814,350,000.00

RECAP OF NATURAL HERITAGE PRESERVATION TAX CREDIT ACT OF 2000

Natural Heritage Preservation Tax Credit Act of 2000

Total Tax Credit Available, Chapter 113, Statutes of 2000	\$100,000,000.00
Less Previous Board Approved Tax Credit for Donated Property..	(36,884,984.00)
Tax Credit Available	\$63,115,016.00

3. Special Project Planning Account Informational

The Board has historically used a special project account to provide working funds for staff evaluation (appraisals, engineering, preliminary title reports, etc.) of proposed projects. Upon Board approval of a project, all expenditures incurred and recorded in the Special Project Planning Account are transferred to the Board approved project account which reduces the Special Project Planning Account expenditures. This procedure, therefore, acts as a revolving account for the pre-project expenses.

Some appropriations now made to the Board do not include a specific budgeted planning line item appropriation necessary to begin a project without prior Board authorization. Pre-project costs are a necessary expenditure in most all capital outlay projects. The Special Project Planning Account would be used for these costs.

The Board, at the May 6, 1986 meeting, authorized the Executive Director to use up to one percent of a budgeted appropriation to set up and maintain an appropriate planning account with the provision it would be reported to the Board as an informational item at the next meeting.

Accordingly, a planning account has been set up as follows:

Water Security, Clean Drinking Water, Coastal
and Beach Protection Fund of 2002 \$60,000.00

4. PROPOSED CONSENT CALENDAR (Items 5 through 18)

*5. Approval of Minutes – November 22, 2002 and December 17, 2002 Meetings

Approval of the minutes of the November 22, 2002 and December 17, 2002 meetings of the Wildlife Conservation Board is recommended.

*6. Recovery of Funds

The following projects previously authorized by the Board are now completed, and some have balances of funds that can be recovered and returned to their respective funds. It is recommended that the following totals be recovered and that the projects be closed.

\$27,644.50 to the **General Fund**
\$1,077,923.78 to the **Safe Neighborhood Parks, Clean Water, Clean
Air, and Coastal Protection Bond Fund**
\$1,370,239.99 to the **Habitat Conservation Fund**
\$0.00 to the **Inland Wetland Conservation Fund**
\$10,000.00 to the **River Parkway Subaccount**
\$3,374,250.00 to the **Other**

GENERAL FUND

Project Planning, East Merced Vernal Pool Grasslands Preserve

Allocated	\$20,000.00
Expended	<u>-17,240.00</u>
Balance for Recovery	\$2,760.00

Project Planning, Natural Communities Conservation Planning

Allocated	\$20,000.00
Expended	<u>-6,500.00</u>
Balance for Recovery	\$13,500.00

Project Planning, Wetlands Acquisition and Restoration

Allocated	\$20,000.00
Expended	<u>-8,615.50</u>
Balance for Recovery	\$11,384.50

San Bernardino Mountains Wildlife Corridor, San Bernardino County

Allocated	\$1,986,972.00
Expended	<u>-1,986,972.00</u>
Balance for Recovery	\$ 0.00

San Joaquin River (San Joaquin River Conservancy, Caglia Development),
Fresno County

Allocated	\$93,000.00
Expended	<u>-93,000.00</u>
Balance for Recovery	\$ 0.00

Yolo Bypass Wildlife Area, Expansion 5, Yolo County

Allocated	\$16,944.00
Expended	<u>-16,944.00</u>
Balance for Recovery	\$0.00

Total General Fund **\$27,644.50**

**SAFE NEIGHBORHOOD PARKS, CLEAN WATER, CLEAN AIR AND
COASTAL PROTECTION BOND FUND**

Black Mountain Preserve, Fresno County

Allocated	\$187,000.00
Expended	<u>-182,760.00</u>
Balance for Recovery	\$4,240.00

French Valley Wildlife Area, Riverside County

Allocated	\$10,950,000.00
Expended	<u>-10,905,662.58</u>
Balance for Recovery	\$44,337.42

Los Banos Wildlife Area (Mud Slough Unit), Expansion 3, Merced County

Allocated	\$330,000.00
Expended	<u>-313,028.51</u>
Balance for Recovery	\$16,971.49

Peninsular Bighorn Sheep Ecological Reserve, Riverside County

Allocated	\$3,020,000.00
Expended	<u>-2,008,262.31</u>
Balance for Recovery	\$1,011,737.69

Yolo Bypass Wildlife Area, Expansion 5, Yolo County

Allocated	\$183,915.00
Expended	<u>-183,277.82</u>
Balance for Recovery	\$637.18

**Total Safe Neighborhood Parks, Clean Water, Clean Air and
Coastal Protection Bond Fund \$1,077,923.78**

HABITAT CONSERVATION FUND

Allensworth Ecological Reserve, Expansion 23, Tulare County

Allocated	\$8,000.00
Expended	<u>-404.00</u>
Balance for Recovery	\$7,596.00

Allensworth Ecological Reserve, Expansion 24, Tulare County

Allocated	\$2,000.00
Expended	<u>-915.00</u>
Balance for Recovery	\$1,085.00

Donner Memorial State Park, Placer County

Allocated	\$2,000.00
Expended	<u>-0.00</u>
Balance for Recovery	\$2,000.00

Duarte Hills Open Space Preserve, Los Angeles County

Allocated	\$2,000.00
Expended	<u>-1,116.00</u>
Balance for Recovery	\$884.00

Gray Lodge Wildlife Area, Water Distribution System, Phase II, Butte County

Allocated	\$500,000.00
Expended	<u>-500,000.00</u>
Balance for Recovery	\$0.00

Jepson Prairie Ecosystem Conservation Area, Solano County

Allocated	\$2,505,000.00
Expended	<u>-1,288,797.69</u>
Balance for Recovery	\$1,216,202.31

Mattole River Ecological Reserve, Expansion 10, Humboldt County

Allocated	\$606,000.00
Expended	<u>-599,953.66</u>
Balance for Recovery	\$6,046.34

Riparian and Stream Habitat Restoration, Department of Fish and Game, Multiple Counties

Allocated	\$632,073.00
Expended	<u>-543,145.75</u>
Balance for Recovery	\$88,927.25

Wetland Conservation Easement Program and Restoration (Orme and Hughes), Butte County

Allocated	\$1,375,000.00
Expended	<u>-1,327,500.91</u>
Balance for Recovery	\$47,499.09

Yolo Bypass Wildlife Area, Expansion 5, Yolo County

Allocated	\$6,141.00
Expended	<u>-6,141.00</u>
Balance for Recovery	\$0.00

Total Habitat Conservation Fund **\$1,370,239.99**

INLAND WETLANDS CONSERVATION FUND

Wetland Habitat Restoration (Butte and Colusa Basin), Butte, Colusa, Glenn and Sutter Counties

Allocated	\$983,780.00
Expended	<u>-983,780.00</u>
Balance for Recovery	\$0.00

Total Inland Wetlands Conservation Fund **\$0.00**

RIVER PARKWAY SUBACCOUNT

Project Planning, San Dieguito River Corridor

Allocated	\$10,000.00
Expended	<u>-0.00</u>
Balance for Recovery	\$10,000.00

Total River Parkway Subaccount

\$10,000.00

OTHER

Donner Memorial State Park, Placer County

Allocated	\$173,250.00
Expended	<u>-0.00</u>
Balance for Recovery	\$173,250.00

At the August 22, 2002 meeting of the Wildlife Conservation Board, the Board approved, on a conditional basis, the donation of property for inclusion under the Natural Heritage Preservation Tax Credit (NHPTC) Act of 2000. The conditional approval was based on the Board's continuing authority for the NHPTC program. Chapter 1033, Statutes of 2002, (AB 3009) suspends the award of tax credits in the 2002-03 fiscal year. Since the Board's authority has been suspended, this entry is to officially close the project for the Board.

Duarte Hills Open Space Preserve, Los Angeles County

Allocated	\$3,201,000.00
Expended	<u>-0.00</u>
Balance for Recovery	\$3,201,000.00

At the August 22, 2002 meeting of the Wildlife Conservation Board, the Board approved, on a conditional basis, the donation of property for inclusion under the Natural Heritage Preservation Tax Credit (NHPTC) Act of 2000. The conditional approval was based on the Board's continuing authority for the NHPTC program. Chapter 1033, Statutes of 2002, (AB 3009) suspends the award of tax credits in the 2002-03 fiscal year. Since the Board's authority has been suspended, this entry is to officially close the project for the Board.

Tauhindauli Public Access, Siskiyou County

Allocated	\$0.00
Expended	<u>-0.00</u>
Balance for Recovery	\$0.00

At the November 28, 2001 meeting of the Wildlife Conservation Board, the Board approved the acquisition of 5.6± acres of land and associated improvements, in the City of Dunsmuir, and authority to accept Cantara Trustee Council funding into a designated escrow account to effect the purchase of said land, for the purposes of expanding public recreational opportunities associated with the Upper Sacramento River. The acquisition has been completed and this entry is to officially close the project for the Board.

Total Other

\$3,374,250.00

***7. Fund Transfer of Various Projects**

The Department of Finance issued Budget Letter 02-40 directing State Agencies, Boards and Commissions to take action to generate General Fund savings. On December 17, 2002 the Board approved the redirection, release and recovery of a total of \$19,559,360.12 to the General Fund. The Board has now identified additional General Fund contracts and/or grants that can be funded with alternative sources. This item is to shift the balance of previously approved General Fund projects to alternative fund sources. These sources include the Water Security, Clean Drinking Water, Coastal and Beach Protection Fund (Proposition 50) and the California Clean Water, Safe Neighborhood Parks and Coastal Protection Bond Fund.

The projects are as follows:

Project Name and County	Board Approval Date	General Fund Amount	Shift to Fund
WHR, San Pablo Bay, Napa and Sonoma Counties	08/10/00	\$599,180.73	79565 (Proposition 50)
WHR, North Grasslands Wildlife Area, Gadwall Unit, Merced County	05/18/01	\$80,290.76	79565 (Proposition 50)
Coachella Valley Ecological Reserve, Exp. # 19 and # 20	11/22/02	\$109,264.00	5096.650 (Proposition 40)
Total Fund Shift		\$788,735.49	

***8. Dairy Mart Ponds Ecological Reserve, San Diego County \$3,000.00**

This proposal is to consider the transfer of 60± acres of State-owned real property, managed by the Department of Fish and Game (DFG) as the Dairy Mart Ponds Ecological Reserve, to the County of San Diego for the protection and restoration of prime coastal freshwater wetlands and surrounding riparian habitat, in southwestern San Diego County.

The subject property is located in the Tijuana River Valley Planning Area in the City of San Ysidro, on Dairy Mart Road, immediately west of Interstate 5. Much of the river valley has been preserved as a regional open space preserve. At the west end of the valley, the State Department of Parks and Recreation (DPR) operates Border Field State Park. Adjacent to the Park is the Tijuana River National Estuarine Research Reserve, operated jointly by the DPR and the U. S. Fish and Wildlife Service. Immediately adjacent to the Reserve is the Tijuana River Valley Regional Park, owned and managed by the County of San Diego, Department of Parks and Recreation (County). This 1,400-acre park extends eastward and is focused around the Tijuana River. The park provides habitat and wildlife protection while providing opportunities for passive recreation.

Historically, this area was part of or within direct influence of the Tijuana River basin. However, diking and subsequent sandmining allowed a freshwater marsh and riparian vegetation to colonize the area. In 1989, when the Wildlife Conservation Board acquired the property, the Dairy Mart Ponds were known as one of the most significant freshwater marsh/riparian habitats, of its size, in southern California. The area was heavily used by approximately 260 species of birds using this valuable habitat and provided the only known heronry in San Diego County, and one of the few in California, for the snowy and cattle egret. Ospreys sought food fish in the pond areas throughout the year while Golden eagles continued to winter around the marsh.

Over the years, the amount of water flowing into the ponds has decreased. Currently, the only sources of water to the ponds are from rainfall and a small amount of urban run-off. As a result, during drought periods, the ponds dry out. When this occurs, the amount and variety of bird species found on the property decreases dramatically. Similarly, public visitation also decreases. The DFG has also experienced management challenges at the Reserve that are difficult to control, such as illegal alien activity, homeless and migrant encampments and dumping of trash and debris.

Over the past twelve years, the County has managed the Dairy Mart Ponds property informally as an extension of its regional park. While the County has not constructed any improvements on the property, they have performed basic land stewardship activities at the Reserve, including basic patrol, trash and debris removal and organized clean up projects. County staff, special work/job training crews and work crews from the local state prison have performed these activities. Costs for these activities have been born by the County.

County staff has also provided health and safety information to Reserve visitors. Since much of the water in the Tijuana River Valley may be contaminated through a variety of sources, educating the public about appropriate activities in and around water bodies has been an important tool in ensuring the continued good health of the park visitors. County rangers have routinely patrolled the Reserve property and have provided interpretive information about the ponds, together with recreational opportunities in the regional open space preserve.

The DFG and the County staffs mutually agree that it is more cost-effective for the County to manage the Reserve as a part of its park. Once the County has formal responsibility for the property, it can pursue its goal to identify a permanent source of water to replenish the ponds during dry periods. There are reclaimed water lines located in Dairy Mart Road, the street bisecting the pond property. The County has secured \$50,000.00 to conduct a study to determine the feasibility of using reclaimed water to replenish the ponds. If approved, use of the reclaimed water would provide a permanent source of water to ensure the long-term viability of the riparian habitat on the property.

The County would also like to improve the public's ability to access and view the ponds. Currently, a dirt road borders the southern edge of the property. The

County proposes to construct non-vehicular pathways, observation points and benches to provide the public with a safe and enjoyable method to access and view the ponds. Signage would provide interpretive information to visitors about the flora and fauna known to occur in the ponds, as well as the wide array of bird species and wildlife habitat. In addition, the County has agreed as a condition of the transfer to confine the use of the property to activities involving wildlife habitat preservation and management, wildlife-oriented education and research and compatible public uses, such as trails or open space.

The approved fair market value of the property is \$910,000.00. It is proposed that fee interest in the property be transferred to the County for no monetary consideration, but that the State accept the "like value" compensation for the County's past services including costs for staffing and maintenance, and future funding required by the County for water reclamation and construction of pathways and viewpoint improvements, all of which exceed the appraised value. The total proposed allocation for this project would be \$3,000.00 to provide for expenses associated with the transfer.

The proposed sale is exempt from CEQA as a sale of government land for which the use has not changed since the time of purchase by the public agency and the appropriate Notice of Exemption will be filed with the State Clearinghouse.

Staff recommends that the Board approve the transfer of the property to the County, as proposed; allocate \$3,000.00 from the Habitat Conservation Fund, Section 2786 (e/f) for related project expenses; authorize staff to enter into the appropriate agreements to accomplish this project; and authorize staff of the Department of Fish and Game to proceed substantially as planned.

*9. Riparian Habitat Restoration, Upper Little Lake Ranch, \$45,800.00
Inyo County

This proposal is to consider an allocation for a grant to Ducks Unlimited, Inc. (D.U.) for a partnership project to restore approximately 100 acres of wetlands, 6 acres of riparian habitat and to enhance approximately 200 acres of associated upland habitat along a 1.6 mile stream corridor near Upper Little Lake in Inyo County. The partners in this proposal include D.U., the Department of Fish and Game (DFG), the landowners, the U.S. Fish and Wildlife Service, the California Department of Forestry, the North American Wetland Conservation Act Program and the Board.

The proposed project is located on a 1,200 acre private ranch that is situated on the east and the west of State Highway 395, approximately 50 miles south of the city of Lone Pine.

Historically, Little Lake has been an important resting and feeding area for migratory waterfowl in the flyway along the eastern side of the Sierra Nevada Mountains. In addition, several significant archaeological sites occupy the area around the lake, representing the rich cultural heritage of the Numic-speaking hunter/gatherers that occupied the area for several thousand years. Approximately 346 acres of the

current ranch were acquired on behalf of DFG by the Board in 1978. The property included thirteen permanent and seasonal ponds with a water supply that had been managed primarily for waterfowl hunting. The acquisition also included a 25 acre portion of Little Lake (110 surface acres), which the DFG managed for fish and wildlife habitat conservation purposes, and for compatible outdoor recreation.

In 1986 the DFG elected to dispose of the property, partially due to the property's remote location, and partially because of the costs associated with maintaining the wetland character of the site. The Board completed the sale of the property to the current landowner, a private hunting club, in 1987.

Upper Little Lake Ranch now includes six wetland areas that are connected hydraulically in a north to south drainage pattern. This wetland system is largely spring-fed. Habitat conditions in most of the wetland areas are poor, ranging from excessive sediment and dense cattails to little or no emergent vegetation. The connecting riparian corridors are either without riparian vegetation or overgrown with rank herbaceous vegetation and non-native invasive vegetation that prevents the growth of native willows and cottonwoods. Little Lake is the largest wetland on the property and covers about 90 surface acres when full. An existing small concrete dam and spillway, which regulates the water level in the lake, is in need of repair to avoid failure of the dam and the resultant loss of wetland habitats.

The landowner has recently acquired an easement to use water from Little Lake. This acquisition will protect the water supply that maintains the existing wetlands and will support the planned habitat restoration and enhancement efforts on the property. Specifically, the project will replace the dam and spillway at Little Lake, will remove several acres of non-native invasive vegetation, including tamarisk and giant reed (*Arundo donax*), and will restore 100 acres of permanent wetlands, and about 6 acres of riparian forest habitat. The project will also enhance approximately 220 acres of associated upland habitat. Restoration of water control facilities will allow the six wetlands to be managed for increased food production and cover. This will improve migratory and wintering habitat for waterfowl and other waterbirds. The project will also remove non-native vegetation and establish a riparian corridor. This will increase habitat diversity on the property and will improve important habitat for a variety of species, particularly neotropical migratory songbirds. The project will also enhance conditions for upland species by removing rank herbaceous vegetation, establishing native vegetation and periodically irrigating selected area.

Waterfowl species that will benefit from this project include northern pintail, mallard, canvasback, redhead, lesser scaup, and ring-necked duck. Nongame and other migratory birds that will benefit include blue-gray gnatcatcher and ash-throated flycatcher, black-chinned hummingbird, willow flycatcher, northern harrier, long-billed curlew, Clark's grebe, and western grebe. The project may also benefit three species that are state and/or federally endangered: southwestern willow flycatcher, bald eagle and Inyo California towhee. Portions of the project area provide suitable potential habitat for the Mojave ground squirrel. This species is a federal species of concern and is state listed as threatened, and if present in the project area, could be adversely affected by construction and maintenance activities. The landowners

have agreed to mitigate this potential adverse impact by granting a conservation easement on a 34-acre portion of the property to the DFG that would be designated for Mojave ground squirrel habitat. The DFG and the landowners are working together to designate the specific boundaries of the easement.

The project area is located along a section of U.S. Highway 395 known as the Eastern Sierra Scenic Byway. This route is heavily used by outdoor recreationists and others traveling from southern California to the eastern Sierras. Wetland and riparian habitats are very limited in the project area and vicinity. The habitat restoration and enhancement work completed as part of this project will greatly improve the view shed along this section of highway and be highly visible to the numerous people traveling along this route.

This project will address the goals of the California Riparian Habitat Conservation Program, the California Riparian Habitat Joint Venture, the Intermountain West Joint Venture, and DU's Continental Conservation Plan.

Cost estimates for this project, which have been reviewed by staff, are as follows:

<u>Description</u>	<u>Estimated Cost</u>
Water Easement Acquisition	\$110,000.00
Permits	4,600.00
Survey, design & project management	13,900.00
Vegetation removal	28,125.00
Water control structures	49,140.00
Earthwork	32,200.00
Ditch improvement	3,400.00
Canal construction & improvements	5,635.00
Sediment traps	11,200.00
Rip rap	4,650.00
Riparian revegetation	15,745.00
Upland seeding	1,155.00
Administrative Costs	17,492.00
Project sign	1,800.00
Contingencies	4,000.00
<u>TOTAL ESTIMATED COST</u>	<u>\$303,042.00</u>

Proposed Funding Breakdown:

WCB	\$45,800.00
Landowners	140,000.00
Landowners	15,250
DU (In-kind)	22,492.00
USFWS	24,500.00
CDF (In-kind)	5,000.00
North American Wetland Conservation Act	50,000.00

TOTAL AVAILABLE FUNDING

\$303,042.00

The Department of Fish Game has reviewed this proposal and recommends it for funding by the Board. The Department is preparing an Environmental Impact Report for this project to satisfy the requirements of the California Environmental Quality Act. The landowner has agreed to manage and maintain the property for twenty-five years pursuant to the terms and conditions of the Grant Agreement. If at any time during the life of the project, the landowners are unable to manage and maintain the project improvements, they will refund to the State of California an amortized amount of funds based on the number of years left on the project life.

This project is well supported in the community and by the Inyo County Board of Supervisors, who have indicated its support in a letter to the U.S. Fish and Wildlife Service's Partners for Fish and Wildlife Program.

Staff recommends that the Board approve this project as proposed; allocate \$45,800.00 from the Habitat Conservation Fund (Section 2786 (e/f)); authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

- *10. Allensworth Ecological Reserve, Expansion 25, \$12,500.00
Tulare County

This proposal is to consider the acquisition of 10 $\frac{1}{2}$ acres of land as an addition to the Department of Fish and Game's Allensworth Ecological Reserve, a Significant Natural Area providing habitat for the endangered Tipton kangaroo rat and blunt-nosed leopard lizard, as well as the San Joaquin kit fox, a state listed threatened and federally listed endangered species. The subject property is located east of Highway 43 and west of Highway 99 in Tulare County near the Allensworth Ecological Reserve.

Funding for this proposed purchase, including related acquisition expenses, is made available from a Bureau of Reclamation (BOR) grant, accepted for this purpose by the Wildlife Conservation Board (WCB) at its August 20, 2000 meeting. The grant provides funding for the total purchase price of the properties being acquired in the Allensworth area. These funds are deposited directly into the State's escrow account on a project-by-project basis upon request by WCB. Funds for all other related acquisition expenses, such as appraisal services, Department of General Services review, escrow expenses and title insurance are reimbursed to the State upon submission of invoices to BOR.

In February of 1991, the WCB approved the initial Allensworth Ecological Reserve acquisition consisting of 651 $\frac{1}{2}$ acres in southern Tulare County. Additional acquisitions to date have increased the total acreage of the reserve area to 1,600 $\frac{1}{2}$ acres. Although the Department of Fish and Game (DFG) ownerships are fragmented, continuing efforts are being made to join these parcels.

The Allensworth area is listed in the 1988 Annual Report of Significant Natural Areas of California prepared by the DFG. The Valley Sink Scrub community found at Allensworth is one of the best remaining examples in the southern San Joaquin Valley. Due to the relatively large area it covers, it provides critical habitat for the San Joaquin kit fox, which requires sizable territories (1 - 2 miles) for hunting and breeding. In addition, because of its significant habitat for the blunt-nosed leopard lizard, the Allensworth area has long been recommended for protection in the Recovery Plan for that species.

Much of the land in the general vicinity of the subject property has been, or is currently being, converted to extensive agricultural uses including alfalfa, cotton, milo, grapes or orchard use. In the long-term, it is almost a certainty that the subject property would be developed to agricultural uses, thereby destroying its habitat values. DFG operation and maintenance costs for this area are expected to be minimal. The management focus is habitat preservation with potential species augmentation.

The owner has agreed to sell the property at the appraised, approved fair-market value of \$2,400.00. As discussed above, related acquisition expense are initially paid by the State and reimbursed by BOR upon submission of paid invoices. It is estimated that \$12,500 will be needed to cover these expenses, including appraisal services, title insurance, escrow fees and Department of General Services review charges.

The acquisition is exempt from CEQA under Section 15313 as an acquisition of land for wildlife conservation purposes.

Staff recommends that the Board approve this transaction as proposed; allow the deposit into escrow of previously authorized grant funds for the purchase price of the proposed acquisition; and allocate \$12,500.00 from the Habitat Conservation Fund, Section 2786(b/c), to cover the related costs; permit staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

*11. Volta Wildlife Area, Expansion 1, Merced County \$10,000.00

This proposal is to consider the acquisition of 780± acres of land for the purposes of protecting Central Valley wetlands and grasslands. The property is situated approximately 12 miles northwest of the City of Los Banos and lies immediately north of the Volta Wildlife Area.

The property lies in western Merced County and is part of the Grasslands Ecological Area (GEA). The GEA consists of six state wildlife areas, a state park, a large national wildlife refuge complex, and over 160 private duck clubs. For the past thirty years, the wetlands that once surrounded the Volta Wildlife Area have been converted to agriculture. As a result, the Volta Wildlife Area is no longer a part of the large wetland mosaic of the North Grasslands and functions rather as a small

island of habitat surrounded by agriculture. The property will be added to the Volta Wildlife Area and will help to reconnect the wildlife area to the large block of wetlands in the North Grasslands portion of the Grassland Ecological Area. By reconnecting the Volta Wildlife Area to this large block of habitat, it is expected that avian, mammal and reptile use of the area will increase. Listed species and species of special concern expected to benefit include: giant garter snake, Western pond turtle, tri-colored blackbird, American white pelican, white-faced ibis, long-billed curlew, northern harrier, greater sandhill crane, black tern and double-crested cormorant. This reestablishment of habitat connectivity will also enhance the long-term viability of the wetland habitat on the Volta Wildlife Area.

The Department of Fish and Game will manage this property as an addition to the Volta Wildlife Area. The combined acreage will be managed with an emphasis on seasonal wetlands and wildlife related public use.

The Department is the beneficiary under a trust from the estate of an anonymous donor. The trust directs the proceeds are to be used to acquire habitat for waterfowl in Merced County. Therefore, we are proposing to direct a portion of the proceeds be placed into an escrow to be used for this acquisition. The owners have agreed to sell this property for \$740,000.00, the appraised value approved by the Department of General Services (DGS). It is estimated that an additional \$10,000.00 will be needed for appraisal costs, DGS's review fees, escrow fees and other related costs.

This acquisition is exempt from the California Environmental Quality Act under Section 15313 as an acquisition of land for wildlife conservation purposes. A Notice of Exemption will be filed upon approval by the Board.

Staff recommends that the Board approve the acquisition as proposed; allocate \$10,000.00 from the Inland Wetland Conservation Fund, accept \$740,000.00 from the disbursement made by the estate of an anonymous donor; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

*12. Wetland Habitat Restoration, South Grasslands \$26,000.00
(Redfern Ranch), Merced County

This proposal is to consider an allocation for a grant to the California Waterfowl Association (CWA) for a partnership project to enhance approximately 200 acres of seasonal and semi-permanent wetlands on privately-owned land. The partners in this proposal include the CWA, the landowner and the Wildlife Conservation Board (Board). The project is located seven air miles southeast of the City of Los Banos and two miles south of the Department of Fish and Game's Gadwall Unit of the North Grasslands Wildlife Area.

The site has been managed as a private duck club for many decades and contains a desirable mix of seasonal wetlands, semi-permanent wetlands and uplands.

However, the individual wetland cells cannot be independently managed and the site does not drain well. As a result, salt accumulates in the seasonal wetlands, and the semi-permanent wetlands have become choked with tules.

The proposed improvements include construction of a supply and drainage ditch along the eastern boundary of the property to allow for the independent drainage of the seasonal wetlands and to supply water to the brood pond. Additionally, swales will be constructed in the two northern ponds to provide drainage and create habitat diversity. Potholes will be excavated in the brood pond to remove tules and provide open water for duck broods and many other wildlife species.

Once these improvements are implemented, many species of waterfowl will benefit, including mallards, which breed on site, and northern pintails, which use the area in the winter. Other wetland dependent species to benefit include many species of shorebirds, such as western sandpipers and greater yellowlegs, and raptors including red-tailed hawks and northern harriers. Mammals that could benefit from this project include coyotes, mink and muskrat.

Cost estimates for this project have been reviewed by staff and are as follows:

<u>Description</u>	<u>Estimated Cost</u>
Site preparation and earthmoving	\$16,000.00
Water control structures	8,406.00
Grantee project design and management	6,000.00
Contingencies	3,000.00
<u>TOTAL ESTIMATED COST</u>	<u>\$33,406.00</u>

Proposed Funding Breakdown:

Wildlife Conservation Board	\$26,000.00
Landowner	7,406.00
<u>TOTAL AVAILABLE FUNDING</u>	<u>\$33,406.00</u>

The Department of Fish Game has reviewed this proposal and recommends it for funding by the Board. The project site is enrolled in the Department's Presley Program and is visited twice yearly by Department biologists to assess the management of the site. The club is permanently protected with a U.S. Fish and Wildlife Service conservation easement. This project is exempt from the California Environmental Quality Act (CEQA) under Class 4 of Categorical Exemptions, California Code of Regulations, Title 14, Section 15304, as a minor alteration to land. Subject to approval by the Board, the appropriate Notice of Exemption will be filed with the State Clearinghouse. The landowner has agreed to manage and maintain the property for twenty-five years, pursuant to the terms and conditions of the Habitat Management Plan. If at any time during the life of the project, the landowners are unable to manage and maintain the project improvements, they will

refund to the State of California an amortized amount of funds based on the number of years left on the project life.

Staff recommends that the Board approve this project as proposed; allocate \$26,000.00 from the Habitat Conservation Fund, Section 2786 (d); authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

*13. Wetland Habitat Restoration, South Grasslands \$100,000.00
(Rooney Ranch), Merced County

This proposal is to consider an allocation for a grant to the California Waterfowl Association (CWA) for a partnership project to restore approximately 175 acres of seasonal wetlands and 80 acres of associated uplands on privately-owned land. The partners in this proposal include the CWA, the landowner and the Wildlife Conservation Board (Board). The project is located approximately six miles southeast of the City of Los Banos and two miles south of the Department's Gadwall Unit of the Los Banos Wildlife Area.

The site is currently managed as a private duck club. The U.S Fish and Wildlife Service protected the site with a conservation easement in 1989. The current owner has been slowly restoring the formerly farmed site over the years, but most of the property is still flat and level. As a result, the site cannot be properly managed as a fully functioning wetland complex. The brood pond on the south end cannot be drained properly and the existing seasonal wetlands are lacking in diversity. The uplands are non-native annual grasses and do not provide the type of dense nesting cover that most waterfowl and many other grassland birds require.

The project will restore diversity to the seasonal wetlands through the excavation of potholes and swales. Drainage will be improved through the installation of water control structures, and a brood pond will be constructed near the southern border of the site. Uplands will be seeded with perennial grasses and forbs and tules, willows and cottonwoods will be planted to provide an ideal mix of seasonal wetlands, uplands, permanent water and riparian habitat.

The diversity of this proposal should provide habitat for a large number of species. The seasonal wetlands will provide ideal foraging habitat for wintering waterfowl, such as gadwalls and widgeon, and for shorebirds, including dowitchers and snipe. The brood pond will support breeding waterfowl such as mallards and cinnamon teal, and provide open water for such water birds as pied-billed grebe and American bittern. Uplands support breeding northern harriers and western meadowlarks, and the riparian habitat provides foraging habitat for neotropical migrants such as yellow warblers and blue grosbeaks.

Cost estimates for this project have been reviewed by staff and are as follows:

Description

Estimated Cost

Site preparation and earthmoving	\$75,000.00
Water control structures	16,743.00
Site preparation and seeding/planting	2,650.00
Grantee project design and management	15,000.00
Contingencies	14,000.00

<u>TOTAL ESTIMATED COST</u>	<u>\$123,393.00</u>
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Proposed Funding Breakdown:

Wildlife Conservation Board	\$100,000.00
Landowner	23,393.00

<u>TOTAL AVAILABLE FUNDING</u>	<u>\$123,393.00</u>
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The Department of Fish Game has reviewed this proposal and recommends it for funding by the Board. This project is exempt from the California Environmental Quality Act (CEQA) under Class 4 of Categorical Exemptions, California Code of Regulations, Title 14, Section 15304, as a minor alteration to land. Subject to approval by the Board, the appropriate Notice of Exemption will be filed with the State Clearinghouse. The landowner has agreed to manage and maintain the property for twenty-five years, pursuant to the terms and conditions of the Habitat Management Plan. If at any time during the life of the project, the landowners are unable to manage and maintain the project improvements, they will refund to the State of California an amortized amount of funds based on the number of years left on the project life.

Staff recommends that the Board approve this project as proposed; allocate \$100,000 from the Habitat Conservation Fund (Section 2786 (d)); authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

*14. Point Benicia Fishing Pier Improvements, Solano County \$252,270.00

This proposal is to consider a cooperative project with the City of Benicia to improve public parking access at the Point Benicia Fishing Pier, located at the end of First Street in Benicia, adjacent to the Carquinez Strait. The project would enlarge the existing parking area and provide new paving, lighting, and curbing for 53 parking spaces, including two ADA sites, and assist in construction of an ADA accessible restroom near the entrance to the pier.

In 1982, the Wildlife Conservation Board entered into a partnership with the City of Benicia to construct a new concrete fishing pier at the most westerly point of First Street, which extends into the waters of the Carquinez Strait. Appurtenances included handrails, benches and wind shelters, lighting, and a fish cleaning sink. The intent of the proposed project is to improve public access with additional parking

and by creating a more user-friendly and safe environment. Paving the parking area, adding ADA spaces, a new permanent ADA restroom, lighting, and the additional improvements will greatly improve the site. The City has agreed to extend the existing lease and operating agreement between the City and the State for operation and maintenance of the pier until February 11, 2028.

The pier is a popular destination for visitors and anglers of all ages. Salmon, sturgeon, and striped bass are the most popular sport fish during the fall season, and visitors use the area for walking, wildlife viewing, and other recreational activities all year round, with an estimated 13,000 visitor use days tabulated here for 2001. Within walking distance of the pier is the renovated 1800 era train depot, which was formerly used to receive shipments from inland valleys for export to international destinations. At one time, the tracks ran through the parking area to where the pier now exists. The entire waterfront at this location is being transformed into a multi-use recreational area to increase the public's use and awareness of the area's historical importance. Abandoned marsh habitat has been restored and provides a buffer along the Point's southern edge between parking and the Strait. Many wetland species use the area for foraging and roosting.

Cost estimates for the project, which have been reviewed by staff, are as follows:

<u>Description</u>	<u>Estimated Cost</u>
Parking Lot Improvements	\$155,200.00
Pathways	74,200.00
Electrical	75,000.00
Restrooms	90,000.00
Construction Design and Administration	70,160.00
Contingencies	39,440.00
<u>TOTAL ESTIMATED COST</u>	<u>\$504,000.00</u>

Proposed Funding Breakdown

City of Benicia	\$252,000.00
Wildlife Conservation Board	\$252,000.00
<u>TOTAL AVAILABLE FUNDING</u>	<u>\$504,000.00</u>

In addition to the costs listed above, an additional \$270.00 will be required for Department of General Services' review costs, bringing the allocation necessary for the Board's portion of the project to \$252,270.00. The Department of Fish and Game has reviewed this proposal and recommends it for funding by the Board. The City of Benicia will be responsible for completing the appropriate notice to satisfy the California Environmental Quality Act requirements and will obtain all necessary permits.

Staff recommends that the Board approve this project as proposed; allocate \$252,270.00 from the Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Act, Section 5096.350(a)(5); authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and Department of Fish and Game to proceed substantially as planned.

*15. Jacoby Creek Forest, Expansion 2, Humboldt County \$660,000.00

This proposal is to consider the allocation of a grant to the Jacoby Creek Land Trust (JCLT) for the purchase of 65 $\frac{1}{2}$ acres of private land for a cooperative project with JCLT and the Department of Fish and Game for the protection, enhancement and restoration of habitat along Jacoby Creek and its tributaries southeast of the City of Arcata in Humboldt County.

The subject property is located along Jacoby Creek Road outside the city limits of the City of Arcata, about 2 miles southeasterly of the downtown area of Arcata. Land use in the area consists of single family homes on small acreage parcels as well as timber production zones (TPZ) along the steeper slopes of the Jacoby Creek drainage. Most of the stands of timber are in various growth stages, some with "old growth". Topography of the subject ranges from modest slope to steep slopes with Jacoby Creek and its tributaries bisecting the property. The easterly boundary of the subject property is adjacent to the Jacoby Creek Forest (800 \pm acres) owned by the City of Arcata.

The primary purpose of this proposed grant is to protect and maintain the health of the limited existing ►old growth► forest habitat and also create a riparian reserve area adjacent to the Jacoby Creek corridor. Approximately 5,000 lineal feet of the middle reaches of Jacoby Creek is located on this property. This property is an integral part of the Jacoby Creek watershed and in large part contributes to the

Humboldt Bay ecosystem that provides an adequate water supply to maintain wetland habitat for fish, waterfowl, wading birds, shorebirds and other water associated wildlife. This acquisition will help insure the integrity of the watershed and enhance the downstream habitat restoration investments that have been made in the Humboldt Bay Wildlife Area, Jacoby Creek/Gannon Slough Enhancement Area.

Most of the upper reaches of Jacoby Creek have traditionally been used for timber production. The subject is primarily second growth with a few small stands of ►old growth timber► still remaining. The lower portion of Jacoby Creek westerly of the subject property was originally part of Humboldt Bay►s extensive intertidal salt marsh and mud flats prior to the construction of the Northwestern Railroad line adjacent to the bay and later the construction of State Highway 101. Construction of these facilities as well as timber harvest in the upper watershed and conversion of the riparian areas to agricultural uses in the lower watershed have impacted Jacoby Creek. There are a number of ►listed and sensitive► species that should benefit from this acquisition. The northern red-legged frog, the foothill yellow-legged frog,

northern spotted owl, Cooper's hawk, osprey, yellow warbler, sharp shinned hawk, Pacific fisher, white footed vole, red tree vole, coastal cutthroat trout, coho salmon, steelhead and the tidewater goby would all benefit from this acquisition through the restoration and enhancement of forest growth and creation of the riparian corridor along Jacoby Creek.

Management of the property after acquisition will be assumed by the Jacoby Creek Land Trust in cooperation with the Department of Fish and Game and the City of Arcata. This includes providing public access, maintenance and restoration of habitat and protection of the species of concern.

The owner has agreed to sell this property for the approved appraised value of \$650,000.00. The Jacoby Creek Land Trust will pay the related closing, escrow and title insurance costs. The grant to the City will be for \$650,000.00. An additional \$10,000.00 will be needed for appraisal, review and related costs.

The Department of Fish and Game has recommended the acquisition of this property through this grant assistance. There are no claims of sovereign State land ownership over any of the property. The purchase is exempt for CEQA, under Class 13 of the Categorical Exemption, as an acquisition of land for wildlife purposes. Funding is available in the Habitat Conservation Fund, Section (2786{b} {c} threatened and endangered species). The terms and conditions of the proposed grant provide that staff review and approve all documents pertaining to the Grantee's acquisition, including any appraisals, preliminary title reports, agreements for purchase and sale, escrow instructions and the instruments of conveyance prior to disbursement of funds.

Staff recommends that the Board approve a grant to the Jacoby Creek Land Trust for the acquisition of the subject property; allocate \$660,000.00 to cover the grant and related costs from the California Clean Water, Clean Air, Neighborhood Parks, and Coastal Protection Act of 2002 (Prop 40); authorize staff to enter appropriate agreements necessary to carry out this project; and authorize the Department of Fish and Game to proceed substantially as planned.

- *16. Anderson River Park Fishing Access Improvements, \$56,270.00
Humboldt County

This is a proposal to consider an allocation for a cooperative project with the City of Anderson (City) to improve public access at the Department of Fish and Game's Anderson River Park Fishing Access located on the right bank of the Sacramento River in the City of Anderson in Shasta County.

The 262-acre Anderson River Park Fishing Access was acquired by the State with funds allocated by the Wildlife Conservation Board (Board) in a series of land purchases between 1956 and 1975 to provide public recreational opportunities, primarily boat launching and bank fishing, and to protect and preserve riparian habitat. The original two-acre purchase was developed in 1957 with a boat ramp, a parking area and sanitary facilities using funds allocated by the Board in 1956. In

1977 the Board allocated funds to pave the parking area and extend the boat ramp to accommodate low-water boat launches. In 1986, Board funds were allocated to install fencing to restrict vehicular access to sensitive riparian areas. In 1990, the Board allocated funds to improve the parking area, construct a guard rail around the ramp cut, stabilize the slope, and provide a project sign. The fishing access area has been operated and maintained by the City under cooperative agreement with the State as part of the City's Anderson River Park since 1967. The park as a whole provides a variety of appropriate outdoor day use recreational opportunities.

This stretch of the Sacramento River provides a host of sport fishing and wildlife viewing opportunities attracting people from all over the region. The most popular sport-fisheries here are for salmon and trout. In general, public fishing access and associated facilities are limited on the Sacramento River and it is important to maintain the existing facilities and keep them open and available for the public.

The City's current proposal includes repaving and re-striping the existing parking area, which has been in use since 1977. In addition, the boat ramp and channel leading from the ramp to the river have silted in, making launches difficult. The boat ramp will be cleared and the launch area will be dredged to improve launching conditions. Finally, landscaping will be installed at the entrance to the parking area to improve the overall aesthetics of the area.

Cost estimates for this proposal, which have been developed by the District and reviewed by staff, are as follows:

<u>Description</u>	<u>Estimated Cost</u>
Asphalt Overlay	\$28,000.00
Parking Lot Striping	600.00
Dredge Work-Boat Ramp and Access Area	15,000.00
Landscaping (shrubs, trees, ground cover, irrigation)	3,000.00
Project Management	4,700.00
Contingencies	4,700.00
<u>TOTAL ESTIMATED COST</u>	<u>\$56,000.00</u>

In addition to the cost listed above, the sum of \$270.00 will be required for Department of General Services' review costs, bring the allocation necessary for the project to \$56,270.00. It is anticipated that the project will qualify for federal participation under the Sport Fish Restoration Act. After approval by the Board, staff will file the appropriate application with the U.S. Fish and Wildlife Service, which, if approved, will provide the Board with a 75 percent reimbursement of all project costs. The City will complete the appropriate environmental review and will obtain all permits that may be necessary to complete the proposed work.

Staff recommends that the Board approve this project as proposed; authorize the

receipt of federal reimbursements from the Sport Fish Restoration Fund; authorize staff to enter into appropriate agreements necessary to accomplish this project; allocate \$56,270.00 from the Wildlife Restoration Fund for project costs, and General Services' review costs; and authorize staff and the Department to proceed substantially as planned.

- *17. Riparian Habitat Restoration, Mouth of Cottonwood Creek Wildlife Area (Funding Augmentation), Shasta County \$19,000.00

This proposal is to consider an allocation to augment grant funding and to extend the term of the grant to California State University, Chico Research Foundation to do additional work on an existing riparian habitat restoration project on the Mouth of Cottonwood Creek Wildlife Area, which is located approximately ½ mile upstream from the Sacramento River in Shasta County.

The Board approved funding for this project on August 19, 1999, which allowed for the planting and monitoring of approximately 26 acres of riparian and wetland habitats within the Wildlife Area. Since the plantings were completed, the restoration site has been heavily browsed by resident deer, and although the survival rate is high, plant growth has been stunted. During the last irrigation season of the project, the grantee experimented with various methods to reduce and control the deer browsing. Plastic deer netting has proven to be effective, but an additional year of support is needed to allow the planted vegetation to grow above the deer browse line and survive on its own.

The augmentation will fund additional irrigation during the summer months, weed control, and deer browse control. The netting will be periodically raised to protect new growth from deer predation as needed. Deer net protection will be combined with hot sauce spray application to discourage browsing of initial spring growth. In addition, plastic protector sleeves will be installed on existing oaks and oak replants to protect the growing plants.

The restoration work on the project site improves the habitat for numerous avian and terrestrial species already occupying the adjacent riparian forest, including deer, wild turkeys, pheasants and migratory songbirds. Public access to the wildlife is encouraged, including public hunting during the appropriate seasons.

Cost estimates for this project, which have been reviewed by staff, are as follows:

<u>Description</u>	<u>Estimated Cost</u>
Project management	\$2,358.00
Pump operation	750.00
Plant management	12,000.00
Plant netting and herbicides	100.00
Administrative costs	1,792.00
Contingencies	2,000.00

TOTAL ESTIMATED COST

\$19,000.00

The grant agreement for the project will be amended to provide for the additional funding and to provide for an additional work period through December 31, 2003 to ensure the growth and survival of the planted vegetation.

Staff recommends that the Board approve this project as proposed; allocate \$19,000.00 from the Wildlife Restoration Fund; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

***18. Lake Earl Wildlife Area, Expansion 27, Del Norte County \$368,000.00**

This proposal is to consider the acquisition 44± acres of privately owned, improved land as an expansion of the Department of Fish and Game's (DFG) Lake Earl Wildlife Area (LEWA). The acquisition will allow for the further protection of Lake Earl and its associated coastal dune, wetland, upland and forest habitats, the continued development of the wildlife area and the protection and enhancement of threatened and endangered species habitat. The subject property is located north of Crescent City, west of Lower Lake Road. The property can be accessed via Lower Lake Road.

The Lake Earl Wildlife Area was acquired as a result of the Keene-Nedgedly Act of 1975, which directed the DFG and the California Department of Parks and Recreation (DPR) to jointly evaluate and acquire certain specified coastal lands for the purpose of protecting, enhancing and managing wetlands. Together the two agencies have acquired over 11,000 acres in the Crescent City area, extending from near Point Saint George north to the Smith River. Of the total, approximately 5,679 acres have been purchased by the Wildlife Conservation Board (WCB) and are managed by the DFG. This includes all of Lakes Earl and Talawa (under lease from the California State Lands Commission). These lakes are actually coastal lagoons that periodically breach the barrier island, thereby allowing the interchange of fresh and saltwater. This natural breaching has been replaced in recent times by artificial breaching as a means of lowering water elevations and increasing lands available for livestock grazing and urban development.

Lake Earl is a shallow estuarine lagoon that supports a variety of wetland plant communities, including submerged aquatics in deeper, relatively freshwater areas of the estuary. Freshwater aquatic plants are used extensively by migrating waterfowl. These wetland communities provide habitat for a large number of water-associated species. Sitka spruce grows to the edge of the lake shore and is used by both peregrine falcon and bald eagle. The nonnative perennial grasses are managed on the LEWA as foraging habitat for the Aluetian Canada goose. Over 95 percent of the Aluetian Canada goose population stages in the agricultural fields on or adjacent to LEWA. Over 240 species of birds have been recorded in the area since 1982. Historically, the Lake Earl complex has been an important northern California wintering, stopover and nesting area for migratory shorebirds and waterfowl. There are three federally or state listed endangered birds sighted in the LEWA, including

bald eagle, Peregrine falcon and the California brown pelican.

The acquisition of the subject property would assist in securing these unique resources, which lie adjacent to or between existing State lands and urban residential development. Placement of this property in public ownership would facilitate lake level management and habitat protection and restoration and would add significant buffer for the LEWA. The DFG has identified the subject property as being within a Significant Natural Area (Lake Earl) and has recommended the purchase of this parcel, which would be incorporated into and managed as part of the existing LEWA.

The Grantors have agreed to sell at the Department of General Services' (DGS) approved fair market value of \$314,000.00. An additional \$54,000.00 is needed for appraisal, relocation study and entitlement, escrow and title fees, and DGS' review costs.

There are no claims of sovereign state land ownership within the subject property. The proposed acquisition is exempt from CEQA under Section 15313, Class 13, as an acquisition of lands for wildlife purposes.

Staff recommends that the Board approve the project as proposed; allocate \$368,000.00 from the Water Security, Clean Drinking Water, Coast and Beach Protection Fund (Prop. 50) for the purchase of the land and to pay project expenses; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

19. The Oak Woodlands Conservation Act of 2001

\$ -0-

A unique program has recently been developed pursuant to the requirements of the Oak Woodlands Conservation Act, enacted by Chapter 588, Statutes of 2001. Recognizing that approximately 80 percent of the remaining oak woodlands are located on private lands, the Oak Woodlands Conservation Program offers landowners, conservation organizations, cities and counties, an opportunity to obtain funding for projects designed to conserve and restore California's oak woodlands. While the Program is statewide in nature, it provides opportunities to address oak woodland issues on a regional priority basis.

The Oak Woodlands Conservation Act was created with the expressed intent the following initiatives are accomplished:

1. Support and encourage voluntary, long-term private stewardship and conservation of California oak woodlands by offering landowners financial incentives to protect and promote biologically functional oak woodlands;
2. Provide incentives to protect and encourage farming and ranching operations that are operated in a manner that protect and promote healthy oak woodlands;
3. Provide incentives for the protection of oak trees providing superior wildlife

values on private land, and;

4. Encourage planning that is consistent with oak woodlands conservation.

The Act identifies the Wildlife Conservation Board (WCB) as the responsible entity to implement the Oak Woodlands Conservation Program and created the Oak Woodlands Conservation Fund. Approximately 80 percent of the funds will be used for grants that purchase conservation easements, restoration activities or enhancement projects and no more than 20 percent of all grants made by the WCB may be used for grants that provide public education and outreach efforts by local governments, park and open space districts, resource conservation districts and nonprofit organizations. In addition, the money in the fund would be available to provide cost-share incentive payments to landowners who enter into long-term agreements. In accordance with the provisions of the Act, priority projects are those designed to purchase oak woodland conservation easements.

To accomplish the intent of the Oak Woodlands Conservation Act, an amount no less than \$5.0 million and not more than \$8.0 million as determined by WCB, shall be available from the Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Fund, commonly referred to as Proposition 12. Consistent with the provisions of the Act, \$5.0 million will be available for expenditure from the Oak Woodlands Conservation Fund upon appropriation by the legislature in the Fiscal Year 2003-04 Budget Act. Consistent with Government Code Section 11361, the guidelines and selection criteria developed for programs funded by Proposition 12 from the Administrative Procedures Act (APA) are exempt from the provisions of the APA.

The Oak Woodlands Conservation Act requires the WCB to develop guidelines and criteria for awarding grants that achieve the greatest conservation for oak woodlands. The Act further requires the WCB to develop these guidelines in consultation with the California Department of Forestry and Fire Protection, the California Department of Food and Agriculture, the University of California's Integrated Hardwood Range Management Program and representatives from farming, ranching and conservation groups.

Recognizing the sensitivities associated with oak woodlands and the various requirements of the program, WCB expanded the composition of the group for developing guidelines to include the following organizations: several county boards of supervisors, special district representatives, California Department of Fish and Game, California Resources Agency, California Department of Conservation, California Oaks Foundation, The Nature Conservancy, California Cattlemen's Association, California Rangeland Trust, High Sierra Resource Conservation & Development Area and the Santa Barbara County Planning Department. This group actively participated in the development of all aspects of the program including the development of guidelines, selection criteria and the terms and conditions for the required Oak Woodland Management Plan.

The Act further required the WCB and the California Department of Forestry and

Fire Protection (CDF) to develop a memorandum of understanding (MOU) on or before April 1, 2002. The MOU was developed and specified the following: (1) Agreement to work cooperatively with state, local, private organizations and landowners to develop a program designed to encourage the long-term conservation of oak woodlands, (2) Agreement to work in partnership and coordinate with state, local and private organizations and landowners to identify elements that could be included in an Oak Woodlands Management Plan, (3) Identify an appropriate online repository for oak woodland management plans that will be accessible to the public and any other state agency involved in oak woodland

conservation and (4) Develop a process for working together to allocate money from the Oak Woodlands Conservation Fund in conjunction with the California Forest Legacy Program Act of 2000.

In accordance with the enabling legislation, the Program provides a two-tiered approach to the conservation of oak woodlands across the State. The first tier requires that the grant funds be spent in a county or city that has prepared an Oak Woodlands Management Plan. Once the local jurisdiction has approved the Oak Woodlands Management Plan, potential applicants are eligible to prepare proposals tailored to the local needs identified in the Oak Woodland Management Plan. This two-tier approach allows applicants to address oak woodland needs in a manner that compliments and is consistent with the local landscape needs of the community.

Pursuant to the requirements of the Act, plans must include at a minimum, a description of all native oak species located within a county or city's jurisdiction. The stakeholder group recognized that such a plan should contain additional elements designed to support the long-term conservation of oak woodlands. More importantly, the stakeholders recognized that elements of the plan should not be overly restrictive and should encourage and provide an incentive to participate in the program. As such, the stakeholder group is recommending a county or city adopt their individual Oak Woodlands Management Plan in the form of a Resolution that contains the following elements:

1. An offer to private landowners to participate in the Oak Woodlands Conservation Program.
2. Statements that describe the status of oak woodlands in their jurisdiction. Such statements shall include a description of all native oak species, estimates of the current and historical distribution of oak woodlands, existing threats, status of natural regeneration and growth trends. To the extent possible, local jurisdictions should prepare maps displaying the current distribution of oak woodlands.
3. Statements recognizing the economic value of oak woodlands to landowners and the community at large and encouraging and supporting farming, ranching and grazing operations that are compatible with oak woodland conservation.
4. Statements recognizing the natural resource values of oak woodlands, including the critical role oak woodlands play relative to the health and function of local

watersheds, soil and water retention, wildlife habitat, open space and the reproduction or reduction of fuel loads.

5. Statements recognizing that the loss of oak woodlands has serious effects on wildlife habitat, retention of soil and water and that planning decisions for oak woodlands should take into account potential effects of fragmentation of oak woodlands.
6. The county or city shall prepare statements expressing support for landowners that participate in the Oak Woodlands Conservation Program. To qualify for funding consideration by the Wildlife Conservation Board, the county or city agree, pursuant to Section 1366 (f) of the Act to certify that individual proposals are consistent with the county or city Oak Woodlands Management Plan.
7. Statements that support and encourage education and outreach efforts designed to demonstrate the economic, social and ecological values associated with oak woodlands.
8. Agreement to review and update as necessary, the Oak Woodlands Management Plan with County General Plan or other local planning effort updates as appropriate.

Through a series of workshops and small group meetings, the stakeholder group also developed program mission and goal statements to guide the WCB in selecting projects designed to meet the legislative intent and purpose of the program. The following program guidelines and selection criteria are recommended for adoption by the Board:

1. For a restoration, enhancement, purchase of an oak conservation easement or long-term agreement, projects must have greater than 10 percent canopy and meet one or more of the following guidelines:
 - The project is of sufficient size to provide superior wildlife values.
 - The project area contains oak woodlands and/or a diversity of oak size classes that will promote the sustainability and perpetuation of oak woodlands.
 - The property is adjacent to other protected areas or will contribute toward ease of wildlife movement across ownerships.
 - The project contributes toward regional or community goals, provides scenic open-space, protects historic or archeological values, or contains unique geologic features.
 - The property is a working landscape. The landowners have implemented or agree to implement stewardship practices that recognize and incorporate the ecological requirements of oak woodlands, grasslands, wildlife and other resource values into the economic operation of the landscape.
 - The property removes or reduces the threat of habitat conversion from oak woodlands to some other use.

- The project has the potential to serve as a stewardship model for other landowners.
2. For public education, outreach or technical assistance, the projects must meet the following guidelines:
- The project shall be designed to identify and communicate the social, economic, agricultural and biological benefits of conserving oak woodlands.
 - The project shall be designed and targeted to reach the maximum number of local landowners that could benefit from public education and outreach efforts.
 - The project shall be designed and implemented as a collective effort or partnership that, where appropriate, includes local entities such as; landowners, the Resource Conservation District, Fish and Game Biologist, Agricultural Commissioner, representatives from farming or ranching organizations and the county or city planning department.
 - The project shall be designed to promote and encourage oak woodland conservation primarily through voluntary, rather than regulatory approaches.
 - The project shall provide sources of available financial and/or technical information to assist landowners wishing to conserve their oak woodlands.
 - The project will identify measurable goals and objectives to evaluate the success of the project. For projects that will not be completed within one year of approval, the design shall include specific interim deliverables or benchmarks and a timeline for completion.
 - If requested by the WCB, project sponsors must be willing to make project information available online so that other project proponents may benefit from the education and outreach effort.

In addition to the above guidelines, selection criteria were developed to elicit information from the applicant that would further describe the merits and value of the proposal. Questions were designed to measure the projects contribution toward a larger landscape or regional conservation effort, the "added value" associated with the project and whether or not the project contributed toward multiple objectives.

In addition to numerous custodial and reporting responsibilities, which include annual reports to the Governor and Legislature, the Board is required to designate an online repository for the Oak Woodland Management Plans. The Act requires the online repository to be easily accessible to the public and any other state agency involved in oak woodland conservation efforts.

Staff recommends approval of the suggested guidelines, authorize staff to proceed with the distribution of the application package; and authorize staff to proceed with the implementation of the program substantially as planned.

20. San Dieguito River Valley Corridor, San Diego County \$5,573,709.00

This proposal is to consider the allocation of a grant to the San Dieguito River Park

Joint Powers Authority (JPA) to assist in its purchase of one or more real properties, totaling up to 8,000 ∇ acres. Acquisition of the property will preserve a regionally-significant wildlife corridor and sufficient habitat to support the rare and sensitive species and habitats of the San Dieguito River Valley.

The project area, more commonly referred to as the "Coast to Crest" trail, extends a distance of approximately fifty-five miles through the geographic middle of San Diego County. From east to west, this contiguous corridor begins at Ironside Spring on Volcan Mountain north of Julian and ends at the river's mouth at the San Dieguito Lagoon in Del Mar. The corridor contains a sequence of fourteen landscapes that have distinctly different characteristics, defined by land form, vegetation, changes in elevation and existing land uses. Together these landscapes form an entire river valley ecosystem, beginning with the highest elevations near the river's source in the mountains, extending through river gorges, ranch land and farmland, through large lakes to rocky intermittent streambeds to an estuarine lagoon at the river's mouth.

The Department of Fish and Game (DFG) has approved a Conceptual Area Protection Plan (CAPP) for the San Dieguito River Valley Corridor which proposes acquisitions of parcels in eleven of the landscapes. The DFG currently holds fee title and manages three distinct properties within the area of this CAPP. They include the San Dieguito Lagoon Ecological Reserve (98.5 ∇ acres) at the western end of the San Dieguito River Valley, Boden Canyon Ecological Reserve (2,000 ∇ acres) in the central portion of the valley and San Felipe Valley Wildlife Area (6,650 ∇ acres) in the far eastern, Volcan Mountain and desert portion of the CAPP. The major purpose of the acquisitions recommended in the CAPP is to protect and preserve critical land parcels within the valley corridor that contain sensitive biological habitat and/or represent linkages to other preserved habitat or areas under conservation plans.

Several important habitat types that are represented in the properties range from coastal wetland habitat in the San Dieguito Lagoon to coniferous forest on Volcan Mountain. A diversity of sensitive habitat types occur on these properties including coastal salt marsh, coastal sage scrub and Engelmann oak woodland. This vegetation supports a wide array of sensitive animal species including the California least tern, Belding's savannah sparrow, western snowy plover and light-footed clapper rail.

It is envisioned that the properties will be owned and managed primarily by the JPA. The primary management objectives are to ensure long-term watershed protection, conservation and enhancement of threatened and endangered species and their habitat, a continuous wildlife corridor and the integrity of the riverine ecosystem. Other management objectives include preservation and restoration of cultural resources, retention of agriculture, provision for public access trails where appropriate and interpretation of the valley's natural and cultural resources.

The WCB, at its meeting on February 27, 2002, approved a \$4,300,000.00 grant to the JPA to assist in facilitating the acquisition of properties within the eleven landscapes. Utilizing a portion of the funds covered under the first agreement, the

JPA has worked cooperatively with federal, state and local entities to expand the valley corridor an additional 410 ∇ acres. The JPA is now working on a second, cooperative project with the County of San Diego which, when complete, will provide a further expansion of approximately 350 ∇ acres.

The Board's proposed grant would provide the JPA with \$5,573,709.00 to facilitate its acquisition of one or more properties within the eleven landscapes. It is anticipated that the allocation for the first grant to the JPA will cover any additional administrative expenses, including Department of General Services' review costs. The total recommended allocation for this proposal is \$5,573,709.00.

The terms and conditions of the proposed grant provide that the DFG will review and approve the property being proposed for acquisition by the JPA. The grant further provides that staff will review all proposed title documents, appraisals, preliminary title reports, agreements for purchase and sale, escrow instructions and the instruments of conveyance prior to disbursement of funds directly into the JPA's escrow account or accounts for the purchase of the properties.

Staff recommends that the Boards approve the award of a grant to the San Dieguito River Park Joint Powers Authority to be applied toward the acquisition of up to 8,000 ∇ acres as proposed; allocate a total of \$5,573,709.00 [\$5,000,000.00 from the Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Fund (Prop. 12), Section 5096.350 (a)(6)–NCCP, and \$573,709.00 from the River Protection Subaccount (Prop. 13)]; authorize staff to enter into appropriate agreements to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

21. East Elliott Preserve (City of San Diego), San Diego County \$5,010,000.00

This proposal is to consider the allocation of a grant to the City of San Diego to assist in its purchase of up to 3,067 ∇ acres, to preserve critical habitat and a key open space and wildlife corridor in the East Elliott area. This proposal would further implement the joint federal, state and local Natural Community Conservation Planning (NCCP) efforts in the San Diego area.

The East Elliott area is located in the east-central portion of the City of San Diego north of State Route 56 between the City's Mission Trails Regional Park and the Marine Corps' Miramar Air Station. It consists of surplus military land sold to private citizens in the 1970's and is characterized by north-south trending canyons and ridges dominated by native vegetation, including coastal sage scrub, mixed chaparral, native grassland and oak and sycamore riparian woodland. The area constitutes one of the largest and most biologically important open space areas remaining within the City of San Diego. East Elliott is also surrounded by and provides linkages to significant habitat lands protected immediately to the north by the Marine Corps under its Comprehensive Natural Resources Management Plan, to the east by Sycamore Park and to the south by Mission Trails Regional Park. The two parks are within the Multiple Species Conservation Plans (MSCP) of the cities of Santee and San Diego, respectively.

Key biological resources within the acquisition area include coastal sage scrub, maritime succulent scrub, riparian oak woodland, grasslands, scrub oak/mixed chaparral and vernal pools. These habitats support numerous threatened and endangered species, among which are the California gnatcatcher, least Bells vireo, San Diego fairy shrimp, Del Mar manzanita, San Diego button-celery, San Diego mesa mint and Otay mesa mint. The properties proposed for acquisition will increase conservation within the City's MSCP core biological areas while reducing the development edge effects and development potential in or adjacent to the area. The resulting enhancement to the preserve will increase the protection afforded the threatened and endangered species by the City's MSCP.

It is proposed that the City assume full management responsibilities in conjunction with the adjacent Mission Trails Regional Park system. As identified in the City's MSCP Subarea Plan for the acquisition area, specific management objectives include providing public access, invasive species control/removal and flood control. The City's MSCP also has a biological monitoring component that identifies monitoring requirements for the various native habitats, covered species and wildlife corridors within the preserve, which assures protection of the long-term biological value of the acquired lands.

The WCB, at its meeting on November 2, 2000, approved a \$3,020,000.00 grant to the City to assist in facilitating the acquisition of properties in the East Elliott area. The City is currently working toward the completion of acquisitions in the western section of the area. The City would like to continue this momentum and has requested additional assistance from the State. To help leverage the WCB grant, the City is proposing to contribute \$1,000,000.00 of City monies towards this effort.

The Board's proposed grant, in the amount of \$5,000,000.00, would be used to facilitate the acquisition of one or properties within the East Elliott area. It is anticipated that an additional \$10,000.00 will be needed to cover additional administrative expenses, including Department of General Services' review costs. Therefore, the total recommended allocation for this proposal is \$5,010,000.00. The terms and conditions of the proposed grant provide that the selection of sites will be subject to approval of staff of the Wildlife Conservation Board in consultation with the Department of Fish and Game. The grant further provides that staff will review all proposed title documents, appraisals, preliminary title reports, agreements for purchase and sale, escrow instructions and the instruments of conveyance prior to disbursement of funds directly into escrow.

This project is exempt from the California Environmental Quality Act under Section 15313 as the acquisition of land for wildlife conservation purposes. A Notice of Exemption will be filed upon approval by the Board.

Staff recommends that the Board approve the award of a grant to the City of San Diego to be applied toward the acquisition of up to 3,067 $\frac{1}{2}$ acres as proposed; allocate \$5,010,000.00 for the grant amount and to pay for project expenses from the Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond

Act (Prop. 12), Section 5096.350 (a)(6)–NCCP; authorize staff and the Department of Fish and Game to enter into appropriate agreements to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

22. San Jacinto Wildlife Area, Expansions 23, 24 and 25, \$1,815,000.00
Riverside County

This proposal is to consider the acquisition of two properties in fee title totaling 88± acres and one conservation easement totaling 223± acres of private land as a cooperative project for further expansion of the Department of Fish and Game's (Department) San Jacinto Wildlife Area (WLA), in western Riverside County. The acquisition will allow for the further protection of Mystic Lake and its associated flood plain habitat.

The project area is located in the San Jacinto Valley of southern California, approximately 18 miles southeast of downtown Riverside and just north of the community of Lakeview. To the northwest is the City of Moreno Valley, whose corporate limits reach the northern boundary of the San Jacinto Wildlife Area. Initial land acquisitions for the WLA were completed during the period of 1981 - 82 as part of a mitigation package developed to compensate for wildlife habitat losses resulting from the construction of the State Water Project. As opportunity and circumstance allowed, the Board has acquired additional properties. Since 1995, the Board has acquired nearly 4,000 acres adjacent to or within Mystic Lake for the WLA. The western boundary of the 10,000 acre WLA is contiguous with the Lake Perris State Recreation Area, placing a total of approximately 17,500 acres under public ownership and protection. The current proposal being considered will add approximately 88± acres of land in fee to the WLA and protect approximately 223± acres under conservation easement.

The upland areas and hills surrounding the flood plain of Mystic Lake are dominated by Riversidian sage scrub. There are areas of intermixed patches of non-native grasslands which are found in both the upland and alkali flat areas. There are numerous sensitive plants associated with the Mystic Lake area, including the thread-leaved brodiaea (state listed endangered and federally proposed threatened), San Jacinto saltbush (federally proposed endangered) and spreading navarretia (federally proposed threatened). The WLA and adjoining lands support 38 species of amphibians and reptiles. Mammal species are well represented and range from the desert shrew to the southern mule deer. The Stephens kangaroo rat (State listed threatened and federally listed endangered) is a resident mammal of the WLA.

Over 240 species of birds have been recorded on or adjacent to the WLA since 1982. Twenty-two over-wintering raptor species are known to utilize the San Jacinto Valley, including the osprey, ferruginous hawk, golden eagle and short-eared owl. The San Jacinto Valley consistently ranks in the top 1 to 2 percent in species diversity for the North American Christmas bird counts. Historically, the San Jacinto Valley has always been an important southern California wintering and nesting area for migratory shorebirds and waterfowl. There are three federally or state listed

endangered birds sighted on the WLA and those are the bald eagle, Peregrine falcon and the California brown pelican.

The Department has identified the subject properties as being within a Significant Natural Area and has recommended the purchase of the property, which would be incorporated into and managed as part of the existing WLA. Agreement has been reached with the owner of the property proposed for the conservation easement and the WLA management will play an active role in managing the property for wildlife and indigenous plant life. It is anticipated that the area will offer both non-consumptive and consumptive recreational uses, as the habitat is restored, maintained and developed in conjunction with WLA.

Therefore, consistent with long range planning purposes, the following three proposals are presented to the Board for consideration:

San Jacinto Wildlife Area, Expansion 23:

This proposal is to consider the acquisition of a conservation easement totaling 223± acres located within the Mystic Land flood plain. The grantor has agreed to sell for the Department of General Services' (DGS) approved appraised value of \$772,000.00. An additional \$10,000.00 will be needed for appraisal, escrow, title insurance and the DGS' review costs.

San Jacinto Wildlife Area, Expansion 24:

This proposal is to consider the acquisition of 50± acres of land in adjacent to the Mystic Lake. The grantor has agreed to sell for the DGS' approved appraised value of \$563,000.00. An additional \$10,000.00 will be needed for appraisal, escrow, title insurance and the DGS' review costs.

San Jacinto Wildlife Area, Expansion 25:

This proposal is to consider the acquisition of 38± acres of land adjacent to Mystic Lake. The grantor has agreed to sell for the DGS' approved appraised value of \$450,000.00. An additional \$10,000.00 will be needed for appraisal, escrow, title insurance and the Department of General Services' review costs.

There are no claims of sovereign State land ownership within the subject properties. The proposed acquisitions are exempt from CEQA under Section 15313, Class 13 as an acquisition of land for wildlife conservation purposes.

Staff recommends that the Board approve the acquisition of Expansions 23, 24 and 25 as proposed; allocate \$1,815,000.00 from Habitat Conservation Fund, Section 2786 (b/c) to cover acquisition and project costs; authorize staff to enter into appropriate agreements as necessary to accomplish this project; and authorize staff and the Department to proceed substantially as planned.

23. Port Hueneme Fishing Pier Improvements, Ventura County \$200,135.00

This proposal is to consider a cooperative project with the City of Port Hueneme to make improvements for public access at the Port Hueneme Fishing Pier, located less than 10 miles south of Oxnard, along the Southern California coast. The project includes the replacement of up to 92 piles (pier supports), which have recently failed or show signs of cumulative deterioration from winter storms and marine organisms over the years.

In 1967, the Board partnered with the City of Port Hueneme and Ventura County by matching funds for the construction of an extension to and repairs of the original wooden pier. The pier has existed here since 1871 when Hueneme was an important locale for coastal trade. The pier heads straight out from the beach, then turns left for 50 feet, then heads out straight again to the end, which terminates in a wide T-shaped platform. This odd shape is a result of the pier following an existing seawall which was constructed to prevent the periodic erosion of the beach. In 1989, the Board allocated funds for repair and renovation of the pier approach section and minor repairs to the pier itself. The City of Port Hueneme operates and maintains the pier under a Lease and Operating Agreement with the State that expires on February 23, 2014.

The subject repairs will replace broken piles and severely compromised piles which discovered during a pier inspection and described in the "Pier Underwater Inspection Summary Report," completed for the Port in September 2002. Based on the report, the Port Hueneme City Council closed the pier until repairs could be made. It is anticipated that the work will be completed by the fall of 2004.

The pier is 1,400 feet long, extends out into water that is 22 feet deep, and yields the normal mix of southern California fish. Inshore, there is some surfperch, while mid-pier, anglers catch halibut, white croaker, thornback skates, small perch and queenfish. The end area sees all of these species plus jack and Pacific mackerel, Pacific sardines, and an occasional bonito or small barracuda. In the year 2000, over 600,000 users visited the Port Hueneme Fishing Pier, the only such structure between Malibu and Ventura. The pier draws visitors from a large regional area and has always provided excellent fishing opportunities as well as a popular visitor serving destination.

Cost estimates for the project, which have been reviewed by staff, are as follows:

<u>Description</u>	<u>Estimated Cost</u>
Pile replacement on pier	\$500,000.00
Project Management.	20,000.00
Contingencies	65,000.00
<u>TOTAL ESTIMATED COSTS*</u>	<u>\$585,000.00</u>

Proposed Funding Breakdown:

Wildlife Conservation Board	\$200,000.00
City of Port Hueneme	385,000.00

<u>TOTAL AVAILABLE FUNDING</u>	<u>\$585,000.00</u>
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In addition to the costs listed above, an additional \$135.00 will be required for Department of General Services' review costs, bringing the allocation necessary for the Board's portion of the project to \$200,135.00.

The Department of Fish and Game has reviewed this proposal and recommends it for funding by the Board. The City of Port Hueneme has completed the appropriate notice to satisfy the California Environmental Quality Act requirements and will obtain all necessary permits.

Staff recommends that the Board approve this project as proposed; allocate \$200,135.00 from the Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Act, Section 5096.350(a)(5); authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and Department of Fish and Game to proceed substantially as planned.

24. East Delta Wildlife Area, San Joaquin County \$455,000.00

This proposal is to consider a cooperative project with The Nature Conservancy (TNC) and CALFED to acquire a 649± acre conservation easement, for the protection of delta wetland habitat and foraging areas for threatened, endangered and special status species. The conservation easement is located approximately two miles southeast of the City of Walnut Grove, south of Walnut Grove Road, in San Joaquin County.

The subject property is located within the eastern region of the Sacramento – San Joaquin River Delta. Other conservation holdings in the general vicinity include the 20,000± acre Cosumnes River Preserve, located 3± miles northeast of the subject property, managed by a consortium of State, Federal and Non-Profit Organizations; the 9,100± Staten Island conservation easement, managed by TNC, located southwest of the subject property, along the Mokolumne River; the 145± acre Woodbridge Ecological Reserve, managed by the Department of Fish and Game (DFG), located 3± miles to the south; and the 880± acre White Slough Ecological Reserve located 7± miles south of the subject property. This region of the eastern delta is also located within CALFED's Ecosystem Restoration Program Plan, referred to as the East Delta Habitat Corridor, and is identified as an area instrumental in meeting CALFED's goals, targets and stage one milestones.

One of the main objectives of acquiring conservation easements in this region of the delta is to preserve natural habitat areas, while maintaining wildlife friendly agriculture production through conservation easements. Habitats and wildlife in the region consist mainly of open field farm lands, with remnant strips of wetland and riparian habitat found along rivers, sloughs, ditches and small isolated areas of un-

reclaimed natural marshes. A large portion of the historical farming in the area includes field and row crops, which are generally flooded in the winter, and provide good winter foraging habitat for a variety of waterfowl and migratory birds.

Wildlife includes federal and state listed species, such as the sandhill crane, Swainson's hawk, black rail, chinook salmon, Delta smelt, valley elderberry long horn beetle, western pond turtle, tri-colored blackbirds, splittail, white faced ibis, Alutian Canada geese, Delta mudwort, rose mallow and Delta tule pea. DFG is also considering reintroducing the giant garter snake into the eastern Delta, a listed species. In addition to these species there are a large number and variety of other waterfowl and migrating birds that utilize habitat within the region.

The subject property is currently farmed and contains one homestead. The improvements include a residence and farm related structures, all situated on the northern portion of the property along Walnut Grove Road. Located along the southern boundary of the property is a levee and levee road that separates the property from Beaver Slough, a major waterway in the area. The current and historical farming of the property has been field and row crops. The proposed easement will allow for the continued use of farming based on historical crops, and related maintenance of roads, equipment and fencing. No other development or improvements will be permitted. The homestead area along Walnut Grove Road is not included within the boundaries of the conservation easement.

One of the primary reasons for acquiring the conservation easement is protection of foraging areas for sandhill cranes. A number of flocks have been tracked and observed to migrate from as far away as Alaska to roost on nearby Staten Island during the winter. From Staten Island the cranes disperse out in the morning to the neighboring properties and farmlands, including the subject property, to forage for food. Flocks have been observed foraging on the subject property over a number of years. In addition to supporting cranes, the easement will also preserve hunting areas for Swainson's hawks, another listed species. Swainson's hawks migrate from South America in the spring with noted populations nesting in and around the Consumnes River Wildlife Area during the summer. The hawks as part of their summer hunting range utilize open farmland within the Delta region, including the subject property.

The urgency and need to protect the property with an easement arises from the recent trend in and around the eastern Delta region of converting open field farmland to orchards and vineyards that have little or no habitat value. This conversion has significantly reduced foraging areas and food supplies for wildlife. This conversion also condenses wildlife species that flock together into smaller areas, having a detrimental effect in terms of their vulnerability to the spread of disease and sickness. The proposed conservation easement will preserve the property's foraging and wildlife potential in perpetuity.

The Nature Conservancy has an option to acquire the conservation easement from the owner for \$827,200.00. This value was established, based on a fair market value appraisal approved by the Department of General Services (DGS). If

approved by the Board, TNC intends to exercise their option and transfer the easement directly to the DFG for ownership and management responsibilities. To fund this cooperative project the proposed participation from the WCB is \$445,000.00. The remaining balance will come from a \$382,200.00 grant from CALFED. TNC has already applied for and received approval of the CALFED grant. The funding breakdown is shown below:

CALFED Grant	\$382,200.00
Wildlife Conservation Board	445,000.00
<u>TOTAL PURCHASE PRICE</u>	<u>\$827,200.00</u>

Supplement to the purchase amount, an additional \$10,000.00 is estimated to be needed for title, escrow and DGS' review costs, for a total allocation of \$455,000.00.

The proposed acquisition is exempt from CEQA under Class 13 of Categorical Exemptions as an acquisition of land for wildlife conservation purposes and the appropriate Notice of Exemption will be filed upon Board approval of this project.

Staff recommends the Board approve this project as proposed; allocate \$455,000.00 from the Habitat Conservation Fund, Section 2786 (b/c), for the acquisition and related costs; authorize staff to enter into appropriate agreements as necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

25. Riparian Habitat Restoration, Lagoon Valley Lake, \$220,000.00
Solano County

This proposal is to consider an allocation for a grant to the City of Vacaville (City) for a partnership project to restore riparian habitat along six tributary streams that drain into Lagoon Valley Lake, located on property owned by the City, approximately two miles southwest of Vacaville and along Interstate Highway 80 in Solano County. The partners in this proposal include the City, CalFed Bay Delta Program and the Wildlife Conservation Board (Board).

Historically Lagoon Valley was subject to annual flooding and contained a year-round shallow lake. In the 1890's the natural outlet channel was deepened to drain the lake for agricultural purposes and the historic lake area only filled with water for a short period each year. In 1978, the County of Solano, who owned a 273 acre portion of the Valley that included the lake bed, requested funding from the Board to construct the Lagoon Valley Lake. The Board approved funding in 1978 and in 1980 to partner with the County Solano to construct the warm water lake and related public access facilities. The lake construction and improvements were completed in 1982 and the County agreed to operate and maintain the project as a public fishing lake under a 25-year agreement. In 1994 the City of Vacaville assumed total operation and maintenance responsibilities for the lake and incorporated the management of the lake with their adjacent holdings in the area. The City now owns and manages a total of 670 acres in the Lagoon Valley area which is open to the

public.

The fishery in Lagoon Valley Lake has declined over the years, primarily due to poor water quality and sediments from degraded upper watershed drainages. The City has developed a management plan for the entire watershed, and is in a position to begin correcting the problems affecting the lake. In general, the proposed project will address sedimentation control and habitat restoration in six of the streams that drain the upper watershed and contribute much of the sediment to the lake. Portions of the watershed have also become invaded by yellow star thistle, a nonnative plant that is toxic to horses and avoided by cattle. These plants are concentrated in and along drainages, obstructing flow, contributing to erosion problems, preventing the growth of more desirable native plants, and limiting access by the public park visitors. Restoration measures have been developed for the upper watershed, including removal of the yellow star thistle, cattle exclusion from the riparian corridors, replacement of existing footbridges, and various erosion control and channel stabilization techniques designed specifically for each stream channel. These actions will improve riparian habitat to benefit many species of wildlife, including migratory and resident birds, small mammals, deer, reptiles and amphibians. The sediment control activities will directly benefit the water quality conditions in the lake and the improvements will also enhance the quality of the experience for visitors to the park. The City is planning more restoration activities in the lower watershed, including the lake, to be implemented in a later phase.

Cost estimates for this project, which have been reviewed by staff, are as follows:

<u>Description</u>	WCB	City	CALFED	<u>Estimated Cost</u>
Design and permits	\$10,000		\$48,000	\$58,000
Grazing plan development		3,000		3,000
Cattle exclusion fencing			95,000	95,000
Stream restoration	190,000	50,000		240,000
Drainage stabilization and erosion control			170,000	170,000
Runoff treatment basin			50,000	50,000
Maintenance, repair and inspections			150,000	150,000
Project management		25,000	8,000	33,000
Bids and related documents		20,000		20,000
Record and reports		143,000	10,000	153,000
Project sign	1,500			1,500
Contingencies	18,500			18,500
<u>TOTAL ESTIMATED COST</u>	<u>\$220,000</u>	<u>\$341,000</u>	<u>\$431,000</u>	<u>\$992,000</u>

Proposed Funding Breakdown:

Wildlife Conservation Board	\$220,000.00
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City of Vacaville	341,000.00
CALFED	431,000.00

<u>TOTAL AVAILABLE FUNDING</u>	<u>\$992,000.00</u>
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The Department of Fish Game has reviewed this proposal and recommends it for funding by the Board. The City of Vacaville approved a Mitigated Negative Declaration for this project, as part of their Lagoon Valley Master Plan, on July 2, 2002. The City has agreed to manage and maintain the property for twenty-five years, pursuant to the terms and conditions of the grant agreement. If at any time during the life of the project, the City is unable to manage and maintain the project improvements, they will refund to the State of California an amortized amount of funds based on the number of years left on the project life.

Staff recommends that the Board approve this project as proposed; allocate \$220,000.00 from the Safe Neighborhood, Clean Water, Clean Air and Coastal Protection Bond Act of 2000, Section 5096.350 (a)(2); authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

26. Habitat Restoration and Public Access, Sun River Unit, \$500,000.00
Stone Lakes National Wildlife Refuge, Sacramento County

This is a proposal to consider an allocation for a grant to the California Waterfowl Association (CWA) for a cooperative project to enhance and/or restore 369 acres of wetland, upland, and riparian habitat and construct public access improvements on the American Land Conservancy's (ALC's) 537 acre Sun River property. The partners in this proposal include CWA, ALC, the U.S. Fish and Wildlife Service (Service), the Central Valley Project Conservation Program, the Packard Foundation, the Bureau of Reclamation, Wildlands Inc., and the Wildlife Conservation Board (WCB). The Sun River property is located approximately twenty miles south of Sacramento, one mile west of the Interstate 5, immediately north of Lambert Road and south of the Stone Lakes National Wildlife Refuge in Sacramento County.

The ALC acquired the subject property in 2000 under a cooperative agreement with the Service. Under the agreement, ALC is to restore wetland and riparian habitat and construct public access improvements on the site, prior to transferring title to the land to the Service for inclusion in the Stone Lakes National Wildlife Refuge. The transfer is to take place no later than 2005. The CWA has partnered with ALC to design, construct and administer the habitat restoration and public access improvements for the site.

The parcel is located adjacent to and includes part of the South Stone Lake which is currently inaccessible to the public. It is otherwise surrounded by private farmland with the Stone Lakes National Wildlife Refuge to the north. Primarily grazing land, much of the parcel is often flooded making these parts excellent candidates for wetland and riparian restoration. Other higher elevations onsite will be restored to grasslands and will continue to be grazed. It is anticipated that these upland areas

will also provide sandhill crane habitat.

The proposed project will restore and/or enhance approximately 120 acres of seasonal marsh, 20 acres of perennial marsh, 14 acres of open water, 3 acres of channels, 143 acres of irrigated pasture, 37 acres of riparian forest, 32 acres of grasslands, and 143 acres of irrigated pasture. Wetland habitat will be restored by constructing levees and excavating swales and potholes to provide habitat diversity.

The upland areas will be planted with native perennial grasses to provide nesting cover for mallards, pheasants, and other ground nesting birds.

These habitat improvements should provide for a broad range of wildlife species. Mixtures of riparian, open shallow water, permanent marsh and seasonal wetlands will provide ideal habitat for many species of waterfowl including mallards and American widgeon. Shorebirds such as greater yellowlegs and long-billed dowitchers will benefit from the shallow water and mudflats created by the project. Riparian dependent species that will benefit from such a project include yellow-breasted chats, black-headed grosbeaks, and ringtailed cats.

The public access improvements include a car top boat launch creating access to South Stone Lake, wildlife viewing blinds, hunting blinds, barrier-free hunting blinds, paths, roads, parking lots, gates and signage. Cost estimates for the proposal, which were developed by CWA and reviewed by staff, are as follows:

<u>Description</u>	<u>Estimated Cost</u>
Engineering services/project design	\$147,961.00
Demolition/Site clean up	15,000.00
Water control structures	187,843.00
Gauges	1,020.00
Lift pump repair	10,500.00
Ditch and canal gate rehabilitation	4,000.00
Levee compacted fill	61,495.00
Vegetation plantings	210,472.00
Barbed wire fencing	2,125.00
Burrowing owl boxes	1,350.00
Access control gates	2,250.00
Roads/Parking lots/Paths	195,650.00
Signage	2,300.00
Car top boat access	94,000.00
Blinds (wildlife viewing and hunting)	20,900.00
Construction supervision	59,363.00
Contingencies	30,000.00
<u>TOTAL ESTIMATED COST</u>	<u>\$1,046,229.00</u>

Proposed Funding Breakdown:

Wildlife Conservation Board	\$500,000.00
Central Valley Project Conservation Program	285,000.00
Packard Foundation	50,000.00
Bureau of Reclamation	50,000.00
Wildlands Inc.	161,229.00

<u>TOTAL AVAILABLE FUNDING</u>	<u>\$1,046,229.00</u>
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The Department of Fish and Game (DFG) has reviewed this proposal and recommends it for funding by the Board. CWA will obtain all necessary permits to complete the work. ALC has agreed to manage and maintain the property for 25 years, pursuant to the terms and conditions of the Management Plan of the Grant Agreement. The Management Plan requires the site to be dedicated for the purposes of improving and managing for wildlife and wildlife-dependent visitor uses, including hunting, fishing, wildlife observation, photography, environmental education and interpretation. These management responsibilities will transfer to the USFWS once they take title to the land. If at any time during the life of the project, the landowners desire to alter their management practices on the site, they must first obtain approval from the State.

Staff recommends that the Board approve this project as proposed; allocate \$500,000 from the Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Act for project costs; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

27. East Sacramento County Blue Oak Legacy Avenue, \$2,010,000.00
Sacramento County

This proposal is to consider the allocation of a grant to the Sacramento Valley Open Space Conservancy (SVOSC) to assist in a cooperatively funded project to acquire up to 2,008 acres of privately-owned property located adjacent to the community of Rancho Murrietta, for the projection of oak woodlands, grasslands and riparian habitat for numerous threatened, endangered and rare species located in the property.

The East Sacramento County Blue Oak Legacy Area (Legacy Area) generally includes properties bounded by State Highway 50 and the City of Folsom on the north, the Sacramento County Urban Services boundary on the west and the Cosumnes River on the south. The Sacramento/El Dorado County line is the easterly boundary of the area. Specifically, the subject property is located in the northeast quadrant of Scott Road and Latrobe Road intersection, southerly of the Folsom corporate limits in eastern Sacramento County. This grant will contribute toward funding Phase 2, a 2,008 acre purchase in the Legacy Area. Escrow closed for Phase 1 (2,054 acres) on October 9, 2002.

The Legacy Area links to the upper Cosumnes River Basin in El Dorado County

where the Department of Fish and Game (DFG) has participated with other agencies to acquire properties. Those projects are part of an ongoing effort to preserve a hydrological intact ecosystem running the 80 mile length of the Cosumnes River from its headwaters in the El Dorado National Forest through the Cosumnes River Preserve to its confluence with the Mokelumne River and ultimately the Sacramento River in San Joaquin County. The Cosumnes River is the only free flowing river on the western slope of the Sierra Nevada mountain range.

The area consists of several habitat types including vernal pools, grasslands, blue oak woodland, blue oak savannah and riparian. These habitats support many endangered threatened and rare species, such as the vernal pool fairy shrimp, vernal pool tadpole shrimp, western pond turtle, valley elderberry longhorn beetle, western spadefoot toad and Swainson's hawk.

The appraised fair market value, as approved by the Department of General Services (DGS), is \$5,622,400.00 and the property owners have agreed to sell to the SVOSC for this amount. In addition to the Board's grant in the amount of \$2,000,000.00, other funds have been secured by the SVOSC, including funds from the County of Sacramento. It is anticipated that an additional \$10,000.00 will be required for administrative expenses, including DGS review services and other miscellaneous expenses bringing the Board's total allocation for this proposal to \$2,010,000.00

The terms and conditions of the proposed grant provide that staff will review the appraisal and all proposed title and transfer documents prior to disbursement of funds to escrow. After acquisition, a study will be conducted by all agencies concerned to determine a long-term management plan.

Staff recommends that the Board approved the award of the grant to the Sacramento Valley Open Space Conservancy to be applied toward the purchase of up to 2,008 acres of land as proposed; allocate \$2,010,000.00 from the Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Act (Prop 12) Section 5096.350 (a) (5), for the grant amount and related expenses; authorize staff to enter into appropriate agreements as necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

28. Habitat Restoration, Sacramento Valley Grasslands, \$287,000.00
Colusa, Glenn and Yolo Counties

This proposal is to consider an allocation for a grant to the Colusa County Resource Conservation District (CCRCD) for a partnership project to restore native grasslands on twenty separate privately owned properties in the Sacramento Valley. The partners in this proposal include the CCRCD, the U. S. Department of Agriculture's Natural Resources Conservation Service (NRCS) and Farm Services Agency (FSA), the Department of Fish and Game (DFG), the landowners and the Wildlife Conservation Board (Board). Eighteen of the twenty project sites are located near the Colusa Drain in Colusa, Glenn and Yolo Counties, one is located in Glenn

County near the Sacramento National Wildlife Refuge, and the last is near Cache Creek in Yolo County.

This proposal is the second partnership project under the North Central Valley Conservation Reserve Enhancement Program (CREP), a new program set up by the U.S. Department of Agriculture (USDA). The CREP is a recent adaptation of the Conservation Reserve Program, a highly successful USDA conservation program set up in 1986 that provides financial incentives to farmers and ranchers to reduce soil erosion, improve air and water quality and establish wildlife habitat by taking marginal farmland out of agricultural production. The CREP furthers this program by allowing decisions to be made locally and permitting USDA to partner with states and local governments to meet locally determined high-priority conservation needs. The CREP was set up to require clear goals and monitoring to measure progress and ensure success.

The North Central Valley CREP areas of operation are Butte, Colusa, Glenn, Placer, Sacramento, Solano, Sutter, Yolo and Yuba Counties. Under the program the FSA is to enter into contracts with area farmers to take marginal farmlands out of production for 10 to 15 years to restore approximately 10,000 acres of upland nesting habitat. The FSA will provide yearly payments to compensate these farmers for loss of production income during this time period. The program requires a state and local cost share focused on the restoration of more than 1,600 acres of the planned 10,000 acres of upland habitat. The USDA, through the FSA, will provide approximately \$19 million of the estimated \$24 million total project cost, allowing the State and non-federal partners to leverage an 80% federal cost share.

All 10,000 acres of the proposed upland habitat restoration will be planted with a mix of perennial grasses and forbs, with 1,600 acres of that total being planted to California natives. Since native grasses provide superior biological benefit and are somewhat easier to maintain after they are established, all of the landowners involved in the project prefer to plant the native species. The non-native seed costs \$10/acre, while native seeds are considerably more expensive, approaching \$200 per acre. Due to the federal CREP guidelines requiring a 50:50 restoration cost share, the planting of natives increases the landowners' portion of the total restoration costs from \$75 per acre for the introduced species to \$250 per acre for native species. These higher costs could effectively eliminate the planting of natives for all interested landowners. With a contribution from the Board, however, some of the landowners are willing to increase their per acre restoration cost from \$75 to \$100 to allow for the establishment of the more desirable native species.

Restoring the uplands to a mix of native California grasses and forbs would be substantially more beneficial than planting to non-native perennials. The native grasses spread by both seed and underground rhizomes making them more likely to survive for long periods of time after they are established. Native grasses also show a more uniform growth pattern than the introduced bunchgrasses, providing a denser nesting substrate, which is ideal for many upland nesting birds. Additionally, the native plant species are highly tolerant of flooding, drought, fire, grazing, and other disturbance regimes often experienced in the North Central Valley.

While native grasses have definite habitat benefits, they also improve erosion control, flood control and reduce long-term land maintenance cost to the landowners. In addition to the planting of 1,600 acres of upland grasslands, the project also includes the restoration of approximately 133 acres of shallow water areas. These wetland sites will be flooded from early February through the middle of July to provide the critical brood and foraging habitat for the birds that nest in the dense cover of the native grasslands. Together, this patchwork of habitat types should provide the habitat diversity necessary for these birds to successfully hatch and raise their broods. Wildlife species that should benefit from this project include several species of nesting waterfowl such as mallards and gadwalls. Other grassland nesting birds include northern harriers, western meadowlarks and pheasants. In winter, the short grasslands provide foraging areas for geese and widgeon, and should support many raptors, including red-tailed and rough-legged hawks.

The program requires that the plantings be closely monitored. Surveys will occur annually for the first three and last three years of the ten-year program to monitor waterfowl and other upland nesting species for production and success. Vegetative surveys to establish species diversity and restoration success will also be conducted annually. The monitoring program will involve representatives from the NRCS, the California Waterfowl Association, DFG, and other partnering groups. During the 2002 nesting season, both nest dragging and pheasant count surveys were conducted to establish pre-CREP population information. Since the entire 10,000 acres will be monitored, the program will help to quantify the value of native California grasslands in comparison to non-native perennials.

Cost estimates for this project, which include all upland and wetland restoration costs and ten years of USDA rental payments, have been reviewed by staff and are as follows:

<u>Description</u>	<u>Estimated Cost</u>
Upland restoration	\$803,850.00
Wetland restoration	206,181.00
Ten years of rental payments	2,412,870.00
Project management	342,091.00
<u>TOTAL ESTIMATED COST</u>	<u>\$3,764,992.00</u>

Proposed Funding Breakdown:

Wildlife Conservation Board	\$287,000.00
U.S. Department of Agriculture	3,209,674.00
Landowners	268,318.00
<u>TOTAL AVAILABLE FUNDS</u>	<u>\$3,764,992.00</u>

The Department of Fish Game has reviewed this proposal and recommends it for funding by the Board. The grantee will complete the appropriate notice to satisfy CEQA requirements and will acquire any necessary permits. The landowners have agreed to enter into contracts with the NRCS to manage and maintain the properties for a minimum of ten years.

Staff recommends that the Board approve this project as proposed; allocate \$287,000.00 from the Inland Wetlands Conservation Fund; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

29. Musty Buck Ridge, Butte County \$1,920,000.00

This proposal is to consider the acquisition of 3,868± acres of land for the protection of oak woodlands, threatened and endangered species habitat and deer and mountain lion habitat, located approximately three miles northeast of the City of Chico.

The Board has previously allocated funding and approved three projects in the same general area as the subject property. In May of 2000, the Board allocated funding and authorized a grant to the California State University, Chico Research Foundation (Foundation) to acquire 2,724± acres of wildlife habitat located along Big Chico Creek. As a condition of the grant, the Board accepted a conservation easement over the property. In May of 2001, the Board approved a grant to the Foundation to assist with the acquisition of an additional 1,226± acres of property as an expansion of the Big Chico Creek property. A conservation easement over the property in favor of the Department was also approved as a condition of the grant. At the same meeting, the Board approved the acquisition of a conservation easement over 3,884± acres of land in the Musty Buck Ridge area for the protection of oak woodlands, threatened and endangered species habitat and deer and mountain lion habitat. That property is located immediately adjacent to the Big Chico Creek property. As a result of the Board approving those three projects, a total of 7,834± contiguous acres of land were protected. If approved, the subject property will increase the total contiguous protected area to 11,702± acres.

The key habitat types benefiting from this proposed acquisition include blue oak woodlands, mix oak/pine forest, scrub oak/Ceanothus chaparral and grassland. There are a number of springs that supply permanent water throughout the year and are of critical important to wildlife because they represent the only sources of permanent water for many wildlife species.

The property is also considered significant winter range for the East Tehama deer herd which is the largest migratory herd in California with current numbers reaching 45,000. The deer migrate over 100 miles and use the property as wintering area during the months of October through March. Mountain lions consistently use the subject property and are drawn to the rock outcropping and cliffs, vegetated ridge tops and brush thickets that provide cover for hunting. Other wildlife species found on the property include black bear, coyote and number of species of raptors. In

addition, the springs and wet areas support a diversity of reptiles and amphibians including the California red-legged frog and western pond turtle.

The landowner has agreed to sell the property for \$1,908,250.00, the appraised value approved by the Department of General Services. It is estimated that an additional \$11,750.00 will be needed for appraisal costs, DGS' review fees, escrow fees and other related costs, bringing the total allocation requested for this project to \$1,920,000.00.

This acquisition is exempt from the California Environmental Quality Act under Section 15313 as an acquisition of land for wildlife conservation purposes. A Notice of Exemption will be filed upon approval by the Board.

Staff recommends the Board approve the acquisition as proposed; allocate \$1,920,000.00 from the Habitat Conservation Fund, Section 2786(a), authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

30. Riparian Habitat Restoration, Sacramento River, \$915,000.00
Turtle Bay Exploration Park, Shasta County

This proposal is to consider an allocation for a grant to the Turtle Bay Exploration Park (TBEP), a nonprofit corporation, for a project to restore approximately 340 acres of riparian habitat on both sides of the Sacramento River in the City of Redding, in Shasta County. The partners in this proposed project include TBEP, the McConnell Foundation, the City of Redding, the U.S. Army Corps of Engineers, the Department of Fish and Game and the Wildlife Conservation Board. The project is located on properties owned by the City of Redding and the McConnell Foundation Ownership. TBEP manages the property under long-term leases from both owners. The project is located at Sacramento River Mile 297, approximately two miles from the Turtle Bay East Boat Ramp in the City of Redding.

The Board provided funding to the City of Redding in 1970 to help develop the boat ramp on the left bank of the Sacramento River at the Interstate 5 freeway and State Highway 299 interchange in Redding. More recently, the Board has been working with the City of Redding to perform improvements at the Turtle Bay boat ramp and fishing access site located just upstream from the TBEP on the right bank of the Sacramento River. Much of the project area has been degraded by past gold mining and dredging activities and the entire site is notable as the location for the beginning of the material transport system that provided aggregate for the construction of Shasta Dam. The entire project area suffers from varying levels of non-native plant invasions, especially from Himalayan black berry, tree of heaven, black locust, star thistle, and annual grasses.

In general, the project will remove non-native plants and restore native riparian vegetation in the appropriate areas within the project area. Specifically, the project will plant native riparian vegetation at several locations within the project area, and

will perform irrigation, weed control and field monitoring for approximately two years. Successful restoration of the various natural communities on this property will likely benefit a wide range of wildlife species, including California red-legged frog, Swainson's hawk, neotropical migratory birds, shore birds, waterfowl, valley elderberry longhorn beetle, white and green sturgeon, Chinook salmon, wild turkey, bats, many small predators (opossum, raccoon, gray fox, skunks, weasel), and black-tailed deer. The project is consistent with the goals of the California Riparian Habitat Conservation Program, the Central Valley Habitat Joint Venture, the California Riparian Habitat Joint Venture, CALFED's Ecosystem Restoration Program Plan, and the Sacramento River Conservation Area Handbook. The project area will be open to the public, and TBEP will be conducting an active interpretation program for the public as the project unfolds. Many local area volunteers are also expected to participate in various features of the project.

Cost estimates for this project, which have been reviewed by staff, are as follows:

<u>Description</u>	<u>Estimated Cost</u>
Planning and permitting	\$70,000.00
Field preparation	55,000.00
Irrigation systems	118,000.00
Planting activities	240,000.00
Maintenance and non-native species removal	300,000.00
Interpretive signage	75,000.00
Monitoring (two-year term)	77,358.00
Project management	82,000.00
Project sign	5,000.00
Contingencies	66,000.00
Administrative costs	20,000.00
<u>TOTAL ESTIMATED COST</u>	<u>\$1,108,358.00</u>

Proposed Funding Breakdown:

Wildlife Conservation Board	\$915,000.00
Turtle Bay Exploration Park	75,000.00
TBEP/City of Redding	20,000.00
McConnell Foundation	68,000.00
U.S. Army Corps of Engineers	30,358.00

<u>TOTAL AVAILABLE FUNDING</u>	<u>\$1,108,358.00</u>
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The Department of Fish Game has reviewed this proposal and recommends it for funding by the Board. The City of Redding will complete the appropriate notice to satisfy the requirements of the California Environmental Quality Act (CEQA) and obtain all necessary permits. The TBEP has agreed to manage and maintain the property for twenty-five years pursuant to the terms and conditions of the grant agreement. If at any time during the life of the project, the grantee is unable to

manage and maintain the project improvements, they will refund to the State of California an amortized amount of funds based on the number of years left on the project life.

The proposed project has good support in the community, with letters of support to the Board from Senator K. Maurice Johannessen, Assemblyman Dick Dickerson, the City of Redding, the McConnell Foundation, the Western Shasta Resource Conservation District and the Sacramento Watersheds Action Group.

Staff recommends that the Board approve this project as proposed; allocate \$915,000.00 from the Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Act (Section 5096.350 (a)(2); authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned

31. Fitzhugh Creek, Modoc County \$1,332,000.00

This proposed is to consider the acquisition of 2,080± acres of land for the purposes of protecting threatened and endangered species habitat and to provide public access for hunting and fishing. The subject property is located approximately 15 miles southeast of Alturas and about five miles south of the Department of Fish and Game's Pine Creek Wildlife Area. The property is located on the west side of the Warner Mountains Wilderness Area (the adjoining part of which is also a State game refuge) and is bordered by BLM property on the remaining sides.

The subject property includes the lower reaches of both the north and south forks of Fitzhugh Creek, the confluence of the two forks and about ½ miles of the mainstream of Fitzhugh Creek. The area at the confluence of the north and south forks is a large meadow which offers excellent wetland, riparian and riverine habitat. Two permanent ponds (about one acre each) and one seasonal pond exist on the property along with associated wetlands. The current owner has been a participant in the Private Land Management Program (1994 through 1999) and has improved habitat for deer and antelope. The subject property provides important winter and summer range for deer and antelope. Fitzhugh Creek provides good habitat for, and supports a healthy population of native redband and introduced brown trout, and provides excellent habitat for the endangered Modoc sucker, the threatened rough sculpin, the endangered willow flycatcher and sandhill crane.

The Department of Fish and Game will be managing this property. Primary management objectives are to provide public fishing and hunting access, to continue proper management of deer and antelope habitat, and to manage the land and aquatic environment for perpetuation of threatened and endangered species. Management is intended to maintain this land in a natural and healthy condition to support self-sustaining populations of fish, plants, mammals, birds, and other wildlife.

The owner has agreed to sell this property for \$1,300,000.00, the appraised value approved by the Department of General Services. It is estimated \$32,000.00 will be

needed for appraisal costs, DGS' review fees, escrow fees and other related costs, bringing the total allocation being requested for this project to \$1,332,000.00.

This acquisition is exempt from the California Environmental Quality Act under Section 15313 as an acquisition of land for wildlife conservation purposes. A Notice of Exemption will be filed upon approval by the Board.

Staff recommends that the Board approve the acquisition as proposed; allocate \$1,332,000.00 from the Habitat Conservation Fund, Section 2786 (b/c), authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

32. Potrero Canyon Conservation Unit of the San Jacinto, \$10,148,680.00
Wildlife Area, Expansion 26, Riverside County

This proposal is to consider the acquisition of 7,737± acres of private land (the "Project Area") as part of the Department of Fish and Game's (DFG) Potrero Canyon Conservation Area, in western Riverside County, in order to preserve critical habitat, key open space, and wildlife corridor and to maintain a permanent linkage between protected areas in the San Bernardino National Forest to the east, San Timoteo Canyon to the northwest, San Jacinto Wildlife Area and Lake Perris State Park to the west. This proposal is also to consider the acceptance of a Habitat Conservation Assistance Grant from the U.S. Fish and Wildlife Service (the "USFWS") providing \$8,000,000.00 in Section 6 funds and \$5,500,000.00 from the Riverside County Habitat Conservation Agency, to be applied toward the proposed acquisition of the Project Area.

The Project Area is located in the southern portion of the City of Beaumont, southwest of the City of Banning, and directly east of the City of Moreno Valley. The property lies east of Lamb Canyon Road, and northwest of Gilman Springs Road at the southerly end of Highland Springs Road.

The Project Area is currently owned by Lockheed Martin Corporation, a Maryland corporation. Between 1961 and 1974, portions of the Project Area were used for rocket motor manufacturing and the testing of rocket propulsion systems. In 1989, Lockheed and the California Department of Health Services, Toxic Services Control Division, signed a Consent Order requiring Lockheed to implement a plan to remediate any soil, surface water or groundwater contamination which occurred on the property as a result of the rocket testing activities. Remediation efforts were initiated in 1993, and will continue to be the responsibility of Lockheed, until all the remediation efforts are satisfied and the property is certified clean.

The Project Area is a classic Mediterranean ecosystem landscape with a mix of habitats, communities and terrain. The majority of the Project Area comprises a flat, alluvial valley dominated by chaparral, annual grassland and riparian shrub communities. The Project Area contains large blocks of unfragmented sage scrub as well. Potrero Creek runs through the center of the Project Area providing high

quality riparian woodlands and some oak woodlands. The Project Area also contains Riversidean sage scrub, an inland form of coastal sage scrub, which is an important habitat for the California gnatcatcher.

Mammal species are well-represented in the Project Area and range from the desert shrew to the southern mule deer. The Project Area contains some of the densest populations of Stephen's kangaroo rat ("SKR") (a federally-listed endangered species and a state-listed threatened species). The Project Area is estimated to have approximately 2,380± acres of occupied SKR habitat. The Project Area contains high quality annual grasslands, a habitat type important to the survival of SKR. Additionally, one component of the SKR Habitat Conservation Plan of Western Riverside County was to acquire occupied and suitable SKR habitat in a core reserve system and eventually expand that system. The Project Area represents an ideal location for core reserve expansion.

Several other listed species occur on the Project Area including the least Bell's vireo (a federally-listed endangered species and a state-listed endangered species), and the California gnatcatcher (a federally-listed threatened species and a California state species of concern). The Project Area contains suitable and occupied habitats for both species. The proposed acquisition would also conserve habitat for an additional twenty-four (24) sensitive species. In addition, the Project Area contains animal movement corridors, raptor nesting areas, wetlands and waterways. Because the Project Area is largely undeveloped, habitats are generally unfragmented and ideally suited for reserve establishment.

The proposed acquisition will assist Riverside County in developing a regional Multiple Species Habitat Conservation Plan ("MSHCP") and Natural Communities Conservation Plan ("NCCP"). The MSHCP/NCCP effort will identify up to 500,000 acres to make a viable system of linked conserved lands. Riverside County has already spent substantial funds acquiring lands within the larger MSHCP/NCCP planning area and is seeking additional funds to ensure the overall preserve design is effective.

The DFG has identified the Project Area as being within a Significant Natural Area and has identified the property as a high priority for acquisition. The DFG proposes to manage the Project Area as part of its existing San Jacinto Wildlife Area ("WLA"), and subject to the preparation of a specific management plan, proposes to offer recreational uses as the habitat is restored, maintained and developed in conjunction with the WLA. It is anticipated that the remediation work will not interfere with DFG's use of the Project Area for the protection of habitat.

There are no claims of sovereign state land ownership within the Project Area. This acquisition is exempt from the California Environmental Quality Act ("CEQA") under Class 13 of Categorical Exemptions, California Code of Regulations, Title 14, Section 15313, acquisition of land for wildlife conservation purposes. Subject to approval by the Board, the appropriate Notice of Exemption will be filed with the State Clearinghouse.

The fair market value of the Project Area, based on an appraisal reviewed and approved by the Department of General Services, is \$30,550,839, and Lockheed Martin Corporation has agreed to sell the property for \$23,518,680.00. The USFWS has awarded a HCP Assistance Grant for this project, in the amount of \$8,000,000.00, which will be applied toward the purchase price of the property. In addition, the Riverside County Habitat Conservation Agency will be contributing \$5,500,000.00 toward the acquisition.

Staff recommends that the Board approve an allocation of \$10,018,680.00 for the remainder of the purchase price, together with an additional \$130,000.00 to cover appraisal, escrow, title insurance costs, Department of General Services' review charges and the DFG's grant administration charges, bringing the total proposed allocation to \$10,148,680.00.

Staff recommends that the Board approve the acquisition of the Project Area, as proposed; authorize acceptance of \$8,000,000.00 from a HCP Assistance Grant from the USFWS and \$5,500,000.00 from the Riverside County Habitat Conservation Agency, to cover a portion of the purchase price; allocate \$10,148,680.00 from the Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Act (Prop. 12), Section 5096.350 (a)(5)—T&E Matching for the balance of the purchase price and associated costs; authorize staff to enter into appropriate agreements as necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

33. North Peak Preserve, Riverside County \$355,000.00

This proposal is to consider the allocation of a grant to the County of Riverside to assist in its acquisition of the first phase, or 193 acres of a larger 915 acre property, to preserve critical habitat and a key open space and wildlife corridor in southwestern Riverside County. The proposal is also to consider the acceptance of a Habitat Conservation Plan (HCP) Assistance Grant, in the amount of \$1,000,000.00, from the U. S. Fish and Wildlife Service (USFWS), to be applied toward the acquisition.

The property, more commonly referred to as the North Peak Ranch, is located within the City of Lake Elsinore, northeasterly of the intersection of Interstate 15 and Highway 74. The area lies in the heart of the Western Riverside County Multiple Species Plan area and provides linkages to various reserves across the broader Interstate 15 intersection. A portion of the subject fronts Highway 74 which provides access from several points.

Western Riverside County is experiencing unprecedented growth and rapid development. The amount of open space and natural lands is declining as these areas are converted to housing and commercial uses. Containing a diversity and abundance of wildlife and plant species, western Riverside County is also one of the most ecologically important areas in the United States. These factors combined create an urgent need to conserve remaining available lands to support populations of native species and habitats as well as to ensure recovery of listed species. This

has resulted in the development of several multiple species habitat conservation plans in the region.

The North Peak Habitat Conservation Plan located in the City of Elsinore was developed and approved because of the dire need to conserve habitat for the multitude of listed species which are known to occur in the area. The property is currently occupied by the coastal California gnatcatcher, least Bell's vireo, Stephen's kangaroo rat and Munz's onion. The property is comprised of high quality sage scrub, including Riversidean sage scrub, grasslands and riparian communities. Each of these habitats is rapidly disappearing in southern California, which is causing a decline in associated wildlife species. The acquisition and conservation of the subject property would contribute toward the recovery efforts of the many listed species. The opportunity to acquire the North Peak Ranch and conserve the ecological processes that support the imperiled habitats on this property will most likely be lost within 5 to 10 years.

The County has agreed to assume full responsibility for management of the property for the long-term protection of the natural resources on the site. The County may, consistent with protection of the resources, provide the public with interpretative information and allow limited recreational uses of the site including hiking, photography and bird watching.

The North Peak Ranch comprises a total of 915 acres and has an appraised value of \$7,763,000.00. The property owner, to assist the County in coordinating the various funding sources available for the property, has agreed to sell a 610 acre portion of the property in three phases and has entered into three purchase agreements for each phase. The remainder of the 915 acres may be subject to an option to purchase in favor of the County, sometime in the future.

The property owner has agreed to sell the first 193 acres, appraised at \$1,656,000.00, to the County for \$1,350,000.00. The USFWS has awarded one HCP Assistance Grant to assist with the County's purchase of the subject property and the State's purchase of the Potrero Canyon property. The proposed grant by WCB, in the amount of \$350,000.00 would provide the balance of the funding for the County's purchase of Phase 1 of the North Peak property, and constitute a portion of the non-federal match required under the HCP Assistance Grant to the State. The remainder of the non-federal match will be realized by the State's funding participation in the Potrero Canyon purchase under previous agenda item 32. In addition to the proposed \$350,000.00 grant, it is estimated that \$5,000.00 will be needed for administrative expenses, including Department of General Services' review costs, bringing the total allocation for this proposal to \$355,000.00.

The terms and conditions of the proposed grant to the County provide that staff will review all title documents, appraisals, preliminary title reports, agreements for purchase and sale, escrow instructions and the instruments of conveyance prior to disbursement of the grant funds.

Staff recommends that the Board approve the proposed \$350,000.00 grant to the

County of Riverside, as proposed; authorize acceptance of a \$1,000,000.00 HCP Assistance Grant from the USFWS to cover a portion of the purchase price; allocate \$355,000.00 from the Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Act (Prop. 12), Section 5096.350 (a)(5)–T&E Matching for the balance of the purchase price and associated costs; authorize staff to enter into appropriate agreements as necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

34. Donations to Wildlife Restoration Fund Informational

In August of 2002, the Board was asked by the family of Brandon C. Moffatt to consider accepting donations in Mr. Moffatt's memory to further the purposes of the Wildlife Conservation Board. According to the family, Mr. Moffatt was an avid hunter and fisherman and enjoyed the outdoors immensely. Pursuant to Article 3, Section 1348 (c) (1), the Board is authorized to accept donations from private sources provided that the proceeds are deposited into the Wildlife Restoration Fund.

To date the Board has received thirty-five separate donations in Mr. Moffatt's memory, totaling \$1,915.00. These donations were deposited into the Wildlife Restoration Fund and will be used to administer the land acquisition, public access and habitat enhancement programs of the Board. The Board acknowledges the generous donations in memory of Brandon C. Moffatt, which will assist the Board in furthering its goals.

35. San Francisco Baylands (Cargill Salt Ponds), \$74,000,000.00

This is a proposal to consider the allocation for a cooperative project with the U.S. Fish and Wildlife Service (FWS), the Hewlett, Moore and Packard Foundations and the Goldman and Resources Legacy Funds, the California Department of Fish and Game (DFG) and the Board for the acquisition of 16,500± acres of properties and property interests in the South San Francisco Bay and along the Napa River in Alameda, San Mateo, Santa Clara and Napa Counties. The properties are owned by Cargill, Incorporated, and consist of approximately 1,400 acres on the Napa River, known as the Napa plant site and approximately 15,100 acres of salt ponds, tidal marshes and mudflats on the San Francisco Bay located south of State Highway 92 and between State Highway 880 and 101. The State will take title to the Napa plant site and approximately 5,500 acres of the salt pond property (a combination of fee title, salt making and other rights) in Alameda County known as the Baumberg evaporating ponds. The United States will acquire approximately 9,600 acres of property (a combination of fee title, salt-making and other rights) in Alameda, San Mateo and Santa Clara Counties known as the Alviso evaporating ponds and the West Bay evaporating ponds.

For the reader's reference, the documents and summaries relating to this project are available at the following locations:

1. Resources Agency, 1416 Ninth Street, (Suite 1311,) Sacramento CA 95814 (916-653-3636)

2. USFWS, Don Edwards National Wildlife Refuge, #1 Marshlands Road, Fremont CA 94536 (510-792-0222)
3. Dept. of Fish and Game, Central Coast Region 3, 7329 Silverado Trail, Napa CA 94558 (707-944-5517)
4. Wildlife Conservation Board, 1807 13th Street, (Suite 103,) Sacramento CA 95814 (916-445-1117)
5. California Coastal Conservancy, 1330 Broadway, (Suite 1100,) Oakland CA 94612 (at 12th Street BART station.) (510-286-1015)

Interim Stewardship and Long-term Restoration Planning

The salt ponds, which were historically tidal marshes, are being acquired to protect the existing wildlife values of the salt ponds. Upon completion of the acquisition the Coastal Conservancy's San Francisco Bay Program will lead a collaborative planning effort, described below, for the future restoration of the acquired properties.

Long-term restoration is envisioned to be a major step toward recovery of a variety of endangered species of plants, birds and mammals, including the California clapper rail, the western snowy plover, the California least tern and the salt marsh harvest mouse. Protection and restoration, as determined through the long-term restoration planning effort, is also envisioned to provide open space, recreational and educational benefits in this highly urbanized area. The acquisition will set the stage for a major contribution to the restoration of San Francisco Bay as described in the Baylands Ecosystem Habitat Goals Report, prepared by the San Francisco Bay Area Wetlands Ecosystem Goals Project, a cooperative effort among nine state and federal agencies and nearly 100 Bay Area scientists that described the kinds, amounts, and distribution of habitats needed to sustain healthy populations of fish and wildlife in and around San Francisco Bay. The acquisition also addresses recommendations in the Comprehensive Conservation and Management Plan of the San Francisco Estuary Project, the San Francisco Bay Joint Venture Implementation Strategy, and various endangered species recovery plans and the goals of the Coastal Conservancy's San Francisco Bay Area Conservancy Program.

Fish and Wildlife Service and DFG, with technical assistance from Cargill, have developed a proposed initial stewardship plan for the properties to be acquired. The plan is designed to maintain existing habitat values and prevent a build up of salt in the ponds in a cost-effective manner while long-term restoration planning is underway. To achieve these objectives, the ponds will be managed to allow water to circulate in and out of subgroups of the ponds. FWS and DFG will need to construct some additional water control structures in order to manage the acquired properties during the initial stewardship period. Installation of those structures will require permits from the U.S. Army Corps of Engineers, the San Francisco Bay Conservation and Development Commission and the San Francisco Bay Regional Water Quality Control Board (RWQCB).

Once the salt ponds have been acquired, the Coastal Conservancy's San Francisco Bay Program will lead a collaborative planning effort for the long-term restoration planning of the south bay salt ponds with FWS and CDFG. Initial funding for the

planning effort will be provided by the Coastal Conservancy and the Hewlett, Packard and Moore Foundations, through the Resources Legacy Fund. Additional restoration funding has been identified in the Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002 (Proposition 50), which was recently approved by the voters in November, 2002. The State's San Francisco Bay portion will be managed as part of DFG's Eden Landing Ecological Reserve and the federal portion will be managed by the FWS as part of the Don Edwards National Wildlife Refuge.

In order to ensure the development of a scientifically sound, widely supported restoration, flood management, and public access plan, the Coastal Conservancy has designed a long-term restoration planning project team which will include trustee and regulatory agencies, local governments, nongovernmental organizations, the scientific community, and the public in the restoration planning process. There will be frequent opportunities for organizations, agencies, and individuals to be involved in the planning process, which is expected to take approximately five years. The web site for the South Bay Salt Pond Restoration Project is www.southbayrestoration.org. Meeting notices, project updates, and other resources are now available on the web site.

A separate planning process will be undertaken for the Napa plant site. In cooperation with the Coastal Conservancy and private foundations, DFG will initiate a restoration planning process for the Napa plant site taking advantage of technical and environmental analysis conducted as part of the ongoing Napa Marsh Restoration Project. Ponds surrounding the Napa plant site will be restored to tidal circulation or maintained for migratory birds and threatened or endangered species as determined through the long-term restoration plan. The Napa County portion will be managed as part of DFG's Fagan Slough Ecological Reserve.

Conveyance Agreement

Following Board approval, the parties will enter into a Conveyance Agreement for the acquisition which contains conditions of closing the transaction. Cargill will have some continued responsibilities for the properties, including the following:

1. Cargill is responsible for removing shallow soil contamination from isolated areas of the 20-acre upland portion of the Napa plant site;
2. Cargill is not released from liability for cleanup of hazardous materials required under applicable environmental law after close of escrow;
4. Cargill is responsible for addressing 35 wells in Alameda County to the satisfaction of applicable government authorities;
5. Cargill will provide financial security for the work listed above that will be performed after closing;
6. Cargill will remove certain specified debris and other items from the property, including some structures at the Napa plant site; and
7. One of the West Bay ponds will not be conveyed to the federal government until

lead shot and clay pigeon debris is removed from the property by the third party responsible for cleaning up problems created by an adjacent skeet club.

Phase Out Agreement

The properties have been used for solar salt-making, which involves moving Bay waters through a series of ponds and allowing evaporation to increase salinity levels. It takes time not only to make salt, but also to stop the salt-making process and to transition the ponds to a flow-through water circulation system. The Phase Out Agreement among Cargill, the FWS and DFG addresses this transition or phase out, which will occur over several years after the State and Federal governments acquire the property. The Phase Out Agreement describes the condition of the ponds at transfer; responsibilities for operating and maintaining the ponds; performance standards; schedules for completion, reporting and certification requirements; and the financial security Cargill will provide FWS and DFG to assure all obligations are met. The Phase Out Agreement calls for Cargill to reduce salinity levels in the South Bay ponds such that pond waters could be discharged to the Bay (the Transfer Standard). RWQCB will determine the appropriate salinity level through issuance of a discharge permit. In general, Cargill will be responsible for operation and maintenance of the ponds until the Transfer Standard is met. If the RWQCB has not acted by March 15, 2004, DFG and FWS will assume financial responsibility for operation and maintenance of the "low salinity" ponds. However, Cargill would retain responsibility to meet the Transfer Standard with assurances that the ponds could be managed to prevent a build up of salt. An independent third party must certify that the Transfer Standard has been met before Cargill's operation and maintenance responsibilities are ended.

The Napa property consists of Cargill's salt plant site and is therefore significantly different than the South Bay properties. The plant site is operationally and geographically distinct from the South Bay salt-making operations. As a result, performance requirements have been set that are specific to the Napa property. Those requirements, included in the Phase Out Agreement, call for Cargill to remove salts, brines and salt-harvesting byproducts in the ponds by harvest or other agreed upon methods consistent with the restoration plan and goals to be developed for the site.

Funding

The acquisition is scheduled to close escrow by March 6, 2003. The total purchase price for the acquisition of the properties is \$100 million, to be funded as follows:

Wildlife Conservation Board	\$ 72,000,000
Hewlett, Moore, Packard Foundations & Goldman and Resources Legacy Funds	\$ 20,000,000
United States Fish and Wildlife Service	<u>\$ 8,000,000</u>
<u>TOTAL ACQUISITION</u>	<u>\$100,000,000</u>

It is estimated that an additional \$2 million will be required for administrative expenses, including Department of General Services' review costs, survey costs, escrow fees, closing costs and initial stewardship costs, bringing the Board's total allocation for this proposal from the Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002 (Prop 50) to \$74,000,000.00.

CEQA

This activity is exempt from the California Environmental Quality Act (CEQA) under Public Resources Code Section 15061(b)(3). Under the terms of the conveyance and phase out agreements there will be no adverse changes in the existing physical conditions in and around the acquired properties prior to completion of CEQA review for any activity raising the possibility of such impacts.

This activity is also categorically exempt from CEQA under Classes 7, 8, 13 and 25 of categorical exemptions, California Code of Regulations, Title 14, Sections 15307, 15308, 15313 and 15325. Classes 7 and 8 of categorical exemptions consist of actions taken by regulatory agencies for protection of natural resources and the environment, to assure the maintenance, restoration, enhancement or protection of a natural resource where the regulatory process involves procedures for protection of the environment. Class 13 of categorical exemptions consists of acquisitions of land for wildlife conservation purposes. Class 25 of categorical exemptions consists of transfers of land in order to preserve open space, habitat, or historical resources. Subject to approval by the Board, the appropriate Notice of Exemption will be filed with the State Clearinghouse.

Recommendation

Staff recommends that the Board approve this project as proposed; allocate \$74,000,000.00 from the Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002, for acquisition amount and related project expenses; authorize staff to enter into appropriate agreements as necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

OTHER BUSINESS